

Claremont Colleges Scholarship @ Claremont

CGU Theses & Dissertations

CGU Student Scholarship

2012

Rights of Concrete Others: Ethics of Concrete Others, Social Individuality, and Social Multiculturalism

Hochul Kwak
Claremont Graduate University

Recommended Citation

Kwak, Hochul, "Rights of Concrete Others: Ethics of Concrete Others, Social Individuality, and Social Multiculturalism" (2012). *CGU Theses & Dissertations*. Paper 63.
http://scholarship.claremont.edu/cgu_etd/63

DOI: 10.5642/cguetd/63

This Open Access Dissertation is brought to you for free and open access by the CGU Student Scholarship at Scholarship @ Claremont. It has been accepted for inclusion in CGU Theses & Dissertations by an authorized administrator of Scholarship @ Claremont. For more information, please contact scholarship@cuc.claremont.edu.

Rights of Concrete Others:

Ethics of Concrete Others, Social Individuality, and Social Multiculturalism

BY

Hochul Kwak

A final project submitted to the Faculty of Claremont Graduate University
in partial fulfillment of the requirements for the degree of Doctor of Philosophy

Claremont, California

2012

Copyright by Hochul Kwak 2012

All rights Reserved

This dissertation has been duly read, reviewed, and critiqued by the Committee listed below, which hereby approves the manuscript of Hochul Kwak as fulfilling the scope and quality requirements for meriting the degree of Doctor of Philosophy.

Dr. Richard Amesbury, Chair

Claremont School of Theology

Associate Professor of Ethics

Dr. Anselm Kyoungsook Min

Claremont Graduate University

Maguire Distinguished Professor of Religion

Dr. Grace Yia-Hei Kao

Claremont School of Theology

Associate Professor of Ethics

Abstract
Rights of Concrete Others
by
Hochul Kwak
Claremont Graduate University: 2012

A globalizing world is replete with the vulnerable, who are experiencing economic poverty, medical maltreatment, political persecution, and/or cultural misrecognition. The vulnerable are under systematic oppression and domination. Although the wealth of humankind increases continuously, many are excluded from any benefit of this increased wealth. While human beings have achieved significant progress in medical technology, uncountable numbers of people are exposed to a shortage of appropriate medical care. Despite continued expansion of democracy around the globe, the powerless majority and minorities are experiencing ignorance of their differences, culturally and/or politically.

This dissertation searches for a viable human rights scheme that will effectively address the systematic oppression and domination of the vulnerable. By addressing oppression and domination of the vulnerable, I focus on overcoming several dichotomies: a dichotomy between transcendence and immanence within human beings, a dichotomy between equality and difference among human beings, and a dichotomy between individual differences and group differences. Those dichotomies have been detrimental to addressing systematic oppression and domination of the vulnerable.

With relation to the dichotomy between transcendence and immanence within human beings, I frame the vulnerable as concrete others who have both transcendental dimensions and immanent dimensions. In terms of the dichotomy between equality and difference, my proposal is equality that substantially promotes difference, that is, capability equality and least-gap

equality. With regard to the dichotomy between individual difference and group difference, my proposal is multiculturalism based on social individuality. These proposals for overcoming aforementioned dichotomies converge on social multiculturalism. I have argued that equality between groups and equality within groups can best address oppression and domination of concrete others. Specifically, reconfigured basic income guarantee, which includes basic income, public education, public healthcare, and linguistic diversity, is a concrete form of equality within groups that is conducive to promoting equality between groups. Therefore, I think that social multiculturalism based on the reconfigured basic income guarantee is a new, viable version of addressing oppression and domination of the vulnerable.

To my parents, Yong-Ja Cha and Sin Kwak

To my parents-in-law, Won-Ja Cho and Jin-Chuk Bae

To my wife, Sunghee

TABLE OF CONTENTS

Introduction.....	1
Synopsis of the Argument.....	2
Outline of Chapters	6
Chapter 1	9
An Ethics of Concrete Others in a Globalizing World	9
1.1 The concept of concrete others.....	10
1.1.1 Levinas’s idea of the Other	11
1.1.2 Limitations of Levinas’s idea of the Other.....	16
1.1.3 From the other to concrete others.....	25
1.2 An ethics of concrete others	37
1.2.1 An ethics of multitude	37
1.2.2 An ethics of différance	41
1.2.3 An ethics of equality and difference.....	45
1.2.4 An ethics of equality substantially promoting difference	47
1.3 Conclusion.....	48
Chapter 2.....	50
Difference of Concrete others and Human rights	50
2.1 Group difference of concrete others	52
2.2 Group rights and individual rights for group difference	57
2.3 Liberal multiculturalism: equality between groups and freedom within groups.....	64
2.4 Limitations of liberal multiculturalism.....	81
2.5 Conclusion.....	86
Chapter 3.....	88
Liberal Individualism and Its Priority of Property over Freedom	88
3.1 Priority of Individual Freedom over Equality	89
3.1.1 Individual Freedom unrelated or opposed to equality.....	91
3.1.2 Equality necessary and conducive to individual freedom	109
3.1.3 Failure of liberal theories in protecting individual freedom.....	127

3.2 Private Property and Liberal Individualism	128
3.2.1 Individual as a self-interested asocial being.....	129
3.2.2 The Priority of Private Property over Individual Freedom	134
3.2.3 Priority of private property over individual freedom and liberal multiculturalism....	136
.....	
3.3 Conclusion.....	137
Chapter 4.....	139
Social Individuality and Its Implication for Rights of Concrete Others	139
4.1 Concrete totality as methodology.....	140
4.2 Social individuality based on Human beings as concrete totality	146
4.2.1 Kosik’s view of human beings	146
4.2.2 Anselm Min’s view of human beings.....	149
4.2.3 Human beings as social beings.....	155
4.3 Implication of social individuality for rights of concrete others	171
4.4 Conclusion.....	180
Chapter 5.....	182
Rights of Concrete Others: Social Multiculturalism.....	182
5.1 Social Multiculturalism	184
5.2 Equality within groups	191
5.3 Equality between groups	219
5.4 Conclusion.....	227
Conclusion	230
Bibliography	240

Table of Figures

Figure 1: Static criteria of choice and the Laffer curve	196
Figure 2: Basic income combined with flat tax	199
Figure 3: Income distribution after basic income with progressive tax	200

Introduction

The preferential option for the poor and the vulnerable is an overriding concern in my theological journey. Yet, I have witnessed the significant failure of the social gospel movement, dispiritedness of liberation theology, and increasing indifference of Christian churches to systematic oppression of the vulnerable on a global level. Indifference of Christian churches to liberation theology does not suggest that the preferential option for the poor and the vulnerable is outdated or inadequate. Churches in general have expressed their deep concern for their ongoing suffering. In spite of churches' concern, however, their approaches have failed in addressing the problem either on a national or worldwide level. This dissertation searches for a viable alternative to the failed attempts at addressing a problem that should be the concern of all those who profess to hold religious and ethical values.

A globalizing world is replete with the vulnerable. Vulnerable people in every part of the world are experiencing economic poverty, medical maltreatment, political persecution, and/or cultural misrecognition. Despite the continuous increase of the wealth of humankind, many are excluded from the benefit of the increased wealth. While human beings have achieved significant progress in the field of medical technology, uncountable numbers of people are exposed to a shortage of appropriate medical care. Despite the worldwide expansion of democracy, the powerless majority or minorities are experiencing ignorance of their differences, culturally and/or politically. As human history continues its sad oppression and domination of the vulnerable, the existence of the vulnerable seems to be permanently ingrained in human society, as if it is an irresolvable phenomenon. Perhaps it is brash to attempt to eradicate the oppressive system that produces the vulnerable. Nonetheless, that is exactly what I propose: a theory of

human rights capable of addressing the phenomenon that produces, maintains, and perpetuates the vulnerable. My proposal endeavors to address systematic oppression and domination of the vulnerable.

Who are the vulnerable? Are they the poor, the ill, the colonized, the working classes, multitude, or people? While the vulnerable share the experience of economic inequality, they also have differences that do not allow them to be lumped together as people, multitude, or the other. In order to encompass incompatible differences of the vulnerable, I propose an umbrella term: concrete others. They are not just the other who has a transcendental dimension which dictates our respect for their dignity. They are also others who have concrete differences, protection of which is a concrete way of respecting their dignity. The vulnerable are concrete others, who experience concrete oppression and domination.

My proposal will set forth a comprehensive theory of human rights for the vulnerable that shall be known herein as the rights of concrete others.

Synopsis of the Argument

The rights of concrete others aims at addressing inequality and disrespect of the vulnerable by promoting both difference and equality. In promoting difference, economic equality plays a constitutive role: economic equality substantially promotes and develops difference. The rights of concrete others espouses equality that substantially promotes differences of concrete others. Chapter 2 deals with difference that requires equality and Chapter 3 deals with equality that can substantially promote difference.

When it comes to differences of concrete others, not all differences are to be promoted. For instance, hegemonic differences are excluded from the protection provided by the rights of

concrete others, since their protection perpetuates oppression of differences of the vulnerable. Conversely, discriminated differences are the focal point of protection under the rights of concrete others, since such protection challenges disrespect of the colonized or the oppressed. The rights of concrete others protects differences of the vulnerable.

The difference, which is to be protected by the rights of concrete others, has two dimensions. One is group difference and the other is individual difference. Considering that identities are constituted by differences, every individual has both group identity and individual identity. While an individual's group identity and individual identity are distinguishable, they are in a constitutive relationship in shaping each other. In order to address vulnerability of concrete others, both identities need to be protected. With relation to group identity, every individual has group identities as she has interaction with her surrounding society, such as family, community, and culture. Considering the group identity of every individual, the rights of concrete others endorses multiculturalism, which in turn, recognizes, encourages, and promotes group identities. There are different ways to promote multiculturalism in human rights tradition: multiculturalism through individual rights, group rights, and liberal multiculturalism. Both individual rights and group rights promote multiculturalism, but individual rights focus exclusively on individual differences while group rights are mainly concerned with group difference. The two human rights approaches neglect the constitutive relationship between group identity and individual identity. Unlike the two approaches, liberal multiculturalism acknowledges the constitutive relationship between those two identities and attempts to promote both.

In promoting both individual difference and group difference, liberal multiculturalism adopts two principles: equality between groups and freedom within groups. By espousing equality between groups, liberal multiculturalism provides resources in order to substantially

promote group differences. By adopting freedom within groups, on the other hand, it tries to prevent individual difference from being infringed by group differences. Though liberal multiculturalism claims to promote both differences, it fails to promote individual difference since it endeavors to promote freedom within groups without recourse to equality that substantiates freedom of all. Without that, liberal multiculturalism may promote the difference of some individuals, specifically the propertied, but its efforts bypass the propertyless. Liberalism purportedly prioritizes individual freedom. If, however, it prioritizes individual freedom, all individuals should have equality that substantiates her freedom. However, liberal theories reveal a tendency of prioritizing private property over individual freedom. As long as private property is given a higher priority than individual freedom, propertyless individuals are unable to achieve their freedom that needs to be substantiated by equality. Thus, liberal multiculturalism cannot promote two kinds of differences of concrete others. In order to achieve individual freedom of all, individual freedom must have a higher priority than private property.

A view of human beings as social beings, which I call social individuality, provides a basis for priority of individual freedom over private property. Social individuality means that human beings are social and individual in a dialectical way. Human beings are shaped by society and history. A human being becomes a civilized individual through society and history. At the same time, an individual is not exclusively determined by a society. A society cannot reduce an individual to being merely its constituent. A society should not override the dignity of an individual. While social individuality designates individual dignity as an overriding concern, it indicates private property as social property. In a society, an individual produces, owns, and disposes of property, as she interacts with other human beings as well as material and immaterial resources. Property is created through a variety of interactions, such as among capital, labor, and

means of production, to name a few. These property producing elements are socially developed, accumulated, transmitted, and utilized. For instance, capital is the accumulation of social labor; means of production is the result of collaboration among scientists, technicians, and workers; individual labor power is shaped through an institutionalized system of education, which is based on the generational accumulation of human knowledge and techniques.

Property is thus result of social production that limits the extent of individual property rights. The common good that works toward respecting the individual dignity of all is the principle that limits the extent of property rights. Put differently, while liberal individualism prioritizes private property over individual freedom, social individuality prioritizes individual freedom over individual property rights in order to respect individual the dignity of all. The priority of individual freedom over property rights justifies equality that substantiates freedom of all.

Equality that substantiates freedom of all has two dimensions. One dimension is necessary for developing individual capabilities. The other guarantees the least gap between the poor and the rich. Between the two, the capability principle is prior to the least-gap principle. By the priority of capability equality I mean that equality is mainly for developing individual capabilities. Nonetheless, provision of least-gap equality is essential in completing capability equality. While without capability equality least-gap equality is pointless, capability equality, only when coupled with least-gap equality, can substantiate freedom of all.

What is a concrete form of both capability equality and least-gap equality? My proposal is a reconfigured basic income guarantee (RBIG) supplemented by public education, public healthcare, and linguistic diversity. Today's globalizing world anticipates more automated production and, as a result, more lay-offs of workers from jobs. There are many people who are

unable to find a job that will enable them to earn a decent living. Under my proposal, that pattern will change: basic income meets basic needs of all individuals without regard to their employment; public education equips every individual with adequate knowledge for their life with dignity; public healthcare allows every individual to be free from the vicious cycle of illness and poverty; and linguistic diversity coupled with cultural diversity promotes group differences of individuals. The basic income guarantee (BIG) supplemented by public education, public healthcare, and linguistic diversity provides capability equality. In addition, it ensures least-gap equality to concrete others, which prevents political manipulation and monopolization of primary goods by the haves while it promotes more options for freedom.

The basic income guarantee (BIG) supplemented by public education, public healthcare and linguistic diversity makes possible social multiculturalism, whose principle is equality between groups and equality within groups, in such a way as to substantially promote group difference and individual difference. In terms of equality between groups, equality means a substantial support of internal self-determination (or sometimes external self-determination) of minority groups. With relation to equality within groups, it is capability equality as well as least-gap equality. Equality within groups supports promotion of individual difference and equality between groups provide support of group difference. Social multiculturalism, through equality between groups and equality within groups, enables an individual to promote her group difference as well as her individual difference.

Outline of Chapters

In chapter 1, I propose an ethics of concrete others. I argue that the concept of concrete others is better than the concept of the other in protecting the vulnerable. An ethics of concrete

others promotes both difference and equality, which means not equal balance between the two but working toward equality that substantially promotes difference.

In chapter 2, I evaluate different types of human rights that protect difference of concrete others. I discuss strengths and limitations of individual rights, group rights, and liberal multiculturalism in protecting two dimensions of differences of concrete others, that is, group differences and individual differences. While individual rights and group rights tends to neglect the other of the two dimensions of difference, liberal multiculturalism endeavors to protect both dimensions as it promotes equality between groups and freedom within groups. However, I will show that liberal multiculturalism can be successful in promoting difference of groups but not difference within groups. Liberal multiculturalism can promote group difference since it provides minority groups with equality that substantially supports promotion of their group differences. However, liberal multiculturalism, with the principle of freedom within groups, can promote only formal protection of individual difference but not its substantial protection. The reason for that is liberal multiculturalism's indifference to equality within groups.

In chapter 3, I investigate why equality is secondary to freedom in liberalism and liberal multiculturalism, although protection of freedom without equality can only be a partial protection. Specifically, through discussion with Isaiah Berlin, Robert Nozick, John Rawls, and Ronald Dworkin, I demonstrate that liberal theories reveal their reluctance to accept capability equality and/or least-gap equality, which can ensure freedom of all, and also prove that while they purportedly prioritize individual freedom over private property, in reality, they endorse priority of private property over individual freedom. For that reason liberalism in general and liberal multiculturalism specifically are unable to espouse capability equality, not to mention least-gap equality.

In chapter 4, I propose social individuality, in order to find a basis of the priority of individual freedom over private property. I show that human beings are social beings biologically, existentially, in identity formation, and in production. I argue that because of the depth and breadth of socialness of individuals, human productions are social productions, which render private property rights as untenable. I conclude that the common good, which works toward individual dignity, is the principle that restricts private property rights.

In chapter 5, I propose the rights of concrete others as social multiculturalism. Social multiculturalism espouses equality between groups and equality within groups, in such a way as to substantiate freedom of all. In proposing a concrete form of equality that substantiates freedom of all, I reconfigure a basic income scheme by supplementing it with public education, public health care, and linguistic diversity. Based on the reconfigured basic income scheme, I conclude that social multiculturalism is a concrete way of substantially promoting both group difference and individual difference of concrete others and accordingly can address oppression and domination of concrete others.

Chapter 1

An Ethics of Concrete Others in a Globalizing World

A globalizing world is replete with vulnerable people who are experiencing oppression and domination. Oppression is the situation in which persons are unable to have basic goods necessary for the development of their human capabilities; while domination is the situation in which differences of individuals are not recognized as being equal.¹ The vulnerable suffer from economic disadvantages such as shortage of food, jobs, medical services, and/or education; they also bear the brunt of political and cultural alienation such as tyranny of the majority, oligarchy, ostracism, or cultural discrimination. Put differently, the vulnerable live through inequality and misrecognition. How to promote both the equality and difference of the vulnerable is the question I attempt to answer in this dissertation.

This chapter deals with a concept of the vulnerable in such a way as to be appropriately sensitive to both their equality and difference and it presents a proper ethics that promotes both their equality and difference. I propose the concept of concrete others as an appropriate concept of the vulnerable and an ethics of concrete others that is best for promoting their difference and equality.

The first part of this chapter deals with the concept of concrete others. Critiquing the Levinasian idea of the other through the scholarship of Anselm Min, Alain Badiou, and Phillip Blond, I identify the limitations of his idea of the other: Levinasian the other could be equated with an angelic being according to Anselm Min; his idea of the other could negate concrete

¹ David Ingram, *Group Rights: Reconciling Equality and Difference* (Lawrence, Kan.: University Press of Kansas, 2000), 36.

differences of the other from the perspective of Alain Badiou; and from Phillip Blond's standpoint his idea of the other could justify negative understanding of the immanent dimensions of the other. Thus, emphasizing the immanent dimension of the vulnerable, consideration of concrete differences, and positive engagement of the immanent, I find the idea of concrete others to be better to encompass diverse situations of the vulnerable with relation to a globalizing world.

The second part of this chapter deals with an ethics of concrete others based on a Levinasian ethics of the other. I agree with the Levinasian emphasis on the transcendental dimension of the other because it provides a basis for ensuring complete protection to the vulnerable. However, I am concerned about the limitations in protecting the vulnerable as he puts exclusive emphasis on the transcendental dimension of the other paired with a reluctance to recognize the immanent dimensions of the other. Whereas the ethics of the other addresses vulnerability in light of transcendence, an ethics of concrete others addresses concrete vulnerabilities of others. In establishing an ethics of concrete others, I discuss the work of Michael Hardt and Antonio Negri, Jacques Derrida, Walter Dignolo, and Boaventura de Sousa Santos, showing that vulnerability of concrete others cannot be addressed by either achieving economic equality or respecting differences. An ethics of concrete others is an attempt to address their vulnerability by promoting both their equality and difference. Promoting both equality and difference means not balancing equality against difference, but working toward equality that substantially promotes differences of concrete others.

1.1 The concept of concrete others

The concept of concrete others is based on the Levinasian concept of the other. The other has been a critical issue in the tradition of philosophy since Plato. Until Levinas's articulation of

the other that stands beyond and prior to the same, the other has been recognized, represented, and manipulated by the same. While the Levinasian concept of the other fundamentally challenges the exploitation of the other by the same, its challenge is severely limited by its definition of the other. In order to overcome the limitation of the concept of the other, I propose the concept of concrete others. Let me first delve into the concept of the other.

1.1.1 Levinas's idea of the Other

Experiencing tragedies of humanity in the twentieth century in which millions of vulnerable people were killed unreasonably (or more exactly through the logic of the same for whom it is natural to exclude or eliminate the other who is innately unable to be the same), Emmanuel Levinas establishes the idea of the other that sets up the fundamental way to afford complete protection to vulnerable people. He contrasts absolute difference between the other and the same. The same has a totalitarian tendency. John Wild puts it as follows:

[Totalitarian thinking] aims to gain an all-inclusive, panoramic view of all things, including the other, in a neutral, impersonal light like the Hegelian Geist (Spirit), or the Heideggerian Being. It sees the dangers of an uncontrolled, individual freedom, and puts itself forth as the only rational answer to anarchy. To be free is the same as to be rational, and to be rational is to give oneself over to the total system that is developing in world history. Since the essential self is also rational, the development of this system will coincide with the interests of the self. All otherness will be absorbed in this total system of harmony and order.²

² Emmanuel Lévinas, *Totality and Infinity: An Essay on Exteriority* (Pittsburgh: Duquesne University Press, 1969), 15. Michael Morgan puts "the same" in this way: "Basically, the same is the self, mind, thought, and reason; in one sense or another, everything outside the self becomes the same as the self or spirit." See Michael L. Morgan, *Discovering Levinas* (New York: Cambridge University Press, 2007), 89. As the source of the concept of the same and the other, Levinas refers to Plato's *Sophist*, *Timaeus*, and *Theaetetus*. See Emmanuel Lévinas, "Philosophy and the Idea of Infinity," in *Collected Philosophical Papers* (Hingham, MA: Kluwer Academic Publishers, 1987), 48, n 4.

With the totalitarian tendency, the same gives no room for the existence of the other. Everything other than the same is grasped and subsumed by the same as instruments. Levinas rejects such imperialistic understanding of the other by the same. He instead emphasizes the transcendence of the other, which is inaccessible to the same. Based on the idea of the other who is infinitely higher than the I and the same, he asserts the priority of ethics over ontology.

The priority allows him to question the oppressive relationship of the same or the I to the other and reject subsuming the other under the horizon of the same. The infinite asymmetry or dissymmetry of the other to the same commands the infinite responsibility of the same to the other. Levinas thus makes it absolutely impossible for the same to override the other. It is his great achievement to establish the dissymmetry of the other to the same in such a way as to command the same to be infinitely responsible for the other. In order to figure out how he establishes the dissymmetry of the other to the same, I will first trace his idea of the other.

The other for Levinas is first of all “absolutely other.”³ The Levinasian view of the other is based on the contention that “the exteriority of a being is inscribed in its essence.”⁴ The exteriority of a being means “a surplus always exterior to the totality.”⁵ Because of its exteriority, “beings have an identity ‘before’ eternity, before the accomplishment of history, before the fullness of time, while there is still time.”⁶ Levinas, thus, further asserts, “Being is exteriority.”⁷ When defining being as exteriority, he emphasizes that it is impossible for a subject to have an objective form of being because she is unable to epistemologically contain being as exteriority: “the very exercise of its being consists in exteriority, and no thought could better obey being than

³ Lévinas, *Totality and Infinity*, 40.

⁴ Lévinas, *Totality and Infinity*, 196.

⁵ Lévinas, *Totality and Infinity*, 22.

⁶ Lévinas, *Totality and Infinity*, 23.

⁷ Lévinas, *Totality and Infinity*, 290.

by allowing itself to be dominated by this exteriority.”⁸ A subject needs to give up the possibility and effort to objectify being in order for being to be being. As a subject is unable to objectify the other as being, the other is beyond the realm of objectification, that is, the horizon of the same. The other for Levinas is thus essentially different and separated from the same.⁹

The other is the absolutely other since she has a different time that the same cannot subsume. Dwight Furrow explains that in Levinas, the other has her own past, present, and future, which the same cannot possess or share: “when we encounter another person, we do not meet as contemporaries. The time of the other is outside the domain of my temporality.”¹⁰ In terms of the past, the other has the immemorial, “the alterity of an unrepresentable past.”¹¹ The future also reveals the alterity of the other through *eros*¹² and fecundity.¹³ Death is another dimension of time, which points to the alterity of the other.¹⁴ Using different dimensions of time, such as the

⁸ Lévinas, *Totality and Infinity*, 290.

⁹ Emmanuel Lévinas, *Time and the Other and Additional Essays* (Pittsburgh, PA: Duquesne University Press, 1987), 87-88.: “the other bears alterity as an essence.”

¹⁰ Dwight Furrow, *Against Theory: Continental and Analytic Challenges in Moral Philosophy* (New York: Routledge, 1995), 146.

¹¹ Furrow, *Against Theory*, 148. Furrow explains the past of the other in this way: “The Other presents herself out of a past that is also her own, not mine, and therefore can never be an object of recognition. The past of the other, as well as the past of the subject, is something that in principle can never be reassembled in memory; despite our best recollections, the past goes by irrevocably. There is a dimension to the past that is opaque to consciousness, for although memory involves bringing the past to presence, this activity of “making present” misses the dimension of time that is irreversible. Despite the fact that we remember episodes from the past, the time that transpired is not recoverable. This dimension of the past that cannot be recovered by consciousness is referred to as the immemorial.” Furrow, *Against Theory*, 147-48.

¹² Lévinas, *Time and the Other and Additional Essays*, 88, 90. *Eros* is the relationship between the lover and the loved, that is, the I and the other. *Eros* is different from grasping, knowing, or possessing—these all presupposes a power relationship that distorts the relationship between the lover and the beloved. In *eros* the caress is a mode of contact. The caress is not for knowing the other but “is anticipation of this pure future” “with something other, always other, always inaccessible, and always still to come.”

¹³ Fecundity is the relationship between the I and the child. The child is the future beyond the being of the I, because the child makes the I escape her closure. Emmanuel Lévinas and Philippe Nemo, *Ethics and Infinity*, 1st ed. (Pittsburgh: Duquesne University Press, 1985), 70. The child is a possibility of the other and has a future that the I cannot reach at. In this vein, the child is a stranger to the I. She is beyond the possession of the I. The relationship with the child is thus not of possession, logic, or power. The child as the other is thus beyond the realm of the same. “The relation with the child...establishes relationship with the absolute future, or infinite time,” since the child is “infinite being, that is, ever recommencing being.” Lévinas, *Totality and Infinity*, 268.

¹⁴ Death signifies “that the subject is in relationship with what does not come from itself.” Levinas describes the relationship as a “relationship with mystery.” Encountering mystery, a subject experiences pure

past, the future, and death, Levinas shows the absolute alterity of the other. The past of the other is immemorial past; the future of the other is infinite future; and death denotes pure passivity of the same to the other. Immemorial past, infinite future, and death as pure passivity indicate the absolute alterity of the other.

The other, which has such absolute alterity, exposes herself through her face. Different faces display differences but such differences are not mere differences that can be compared or paralleled to others. Revealed through time of the other, the other has alterity that is far from difference in degree, quality, or quantity.¹⁵ Without regard to facial difference or exterior divergence the other has her alterity which secures her transcendence and infinity: “The Other remains infinitely transcendent, infinitely foreign”¹⁶ through her epiphany visible in her face. The Other is infinite because “infinity overflows the thought that thinks it. Its very infinity is produced precisely in this overflowing.”¹⁷ Since the other is infinite, the I cannot contain the other in his thought. The overflowing is apprehended not by pure abstraction, that is, by negation of experience; rather, it is by very experience of the face of the other: “The relation with infinity will have to be stated in terms other than those of objective experience; but if experience

passivity, revealing his loss of mastery. While the I actively constructs and understands objects, “death announces an event over which the subject is not master, an event in relation to which the subject is no longer a subject.” Death is “the situation where something absolutely unknowable appears. Absolutely unknowable means foreign to all light, rendering every assumption of possibility impossible, but where we ourselves are seized.” Lévinas, *Time and the Other and Additional Essays*, 70, 71. Identifying the other with death, Levinas affirms that the other has alterity that the I is unable to grasp, possess, or identify.

¹⁵ “Alterity is not at all the fact that there is a difference, that facing me there is someone who has a different nose than mine, different colour eyes, another character. It is not difference, but alterity. It is alterity, the unencompassable, the transcendent. It is the beginning of transcendence. You are not transcendent by virtue of a certain different traits.” Lévinas, *Totality and Infinity*, 170. John Llewelyn puts it in this way: “What Levinas refers to as the most high (altus) is the radically other (alter). The Other, Autrui, is not simply an alter ego, an appresented analogue of myself. He and I are not equals, citizens in an intelligible kingdom of ends. We are not relatives. We are not different as chalk and cheese. There is between us, in the Hegelian phrase which Levinas adapts, an absolute difference.” John Llewelyn, “Levinas, Derrida and Others Vis-À-Vis,” in *The Provocation of Levinas: Rethinking the Other*, ed. Robert Bernasconi and David Wood (London ; New York: Routledge, 1988), 140.

¹⁶ Lévinas, *Totality and Infinity*, 194.

¹⁷ Lévinas, *Totality and Infinity*, 25.

precisely means a relation with the absolutely other, that is, with what always overflows thought, the relation with infinity accomplishes experience in the fullest sense of the word.”¹⁸ Experience of the face of the other indicates infinity that overflows the thought of a subject without being fully grasped.¹⁹ By overflowing, the other is transcendent and infinite. But overflowing is not the last word for the transcendence and infinity of the other. The other has a more ultimate dimension: “The face of the other human – the stranger, the widow and the orphan – exceeds its corporeal destitution by ‘referring’ to the divine Other.”²⁰ The face of the other indicates infinity that overflows the thought of a subject not only because of her alterity, but also because of her divinity. God is accessible through the face of the other.²¹ In Levinas, the other is enhanced to the height of the divine Other.²²

Enhancing the other to the height of divine Other, Levinas denies an incarnational understanding of the other. He contends that “[t]he Other is not the incarnation of God, but precisely his face, in which he is disincarnate, is the manifestation of the height in which God is revealed.”²³ While the other is recognized by her face of destitution, what is revealed through the face is God, not an impoverished person. Thus, the other is not the concrete, impoverished

¹⁸ Lévinas, *Totality and Infinity*, 25.

¹⁹ “The presence of a being not entering into, but overflowing, the sphere of the same determines its “status” as infinite. This overflowing is to be distinguished from the image of liquid overflowing a vessel, because this overflowing presence is effectuated as a position in face of the same....The idea of infinity, the infinitely more contained in the less, is concretely produced in the form of a relation with the face. And the idea of infinity alone maintains the exteriority of the other with respect to the same, despite this relation.” Lévinas, *Totality and Infinity*, 195-96.

²⁰ Howard Caygill, *Levinas and the Political* (London ; New York: Routledge, 2002), 123.

²¹ Lévinas and Nemo, *Ethics and Infinity*, 92.

²² In a similar vein, Jean-Luc Marion criticizes Levinas in that Levinas reveals a confusion between the other and divine Other: “Levinas has not only admitted an ambiguity but knowingly emphasized it. For the face which appeals can be assigned equally to the Other or to God, thus avowing the indecision of its origin as well as the necessity of questioning both identity and individuation.” Jean-Luc Marion, *The Idol and Distance: Five Studies* (New York: Fordham University Press, 2001), 227.

²³ Lévinas, *Totality and Infinity*, 79.

person, since she “does not play the role of a mediator.”²⁴ Her concreteness disappears; but, she manifests divine heights. When he denies that the other is an incarnation of God and accordingly her immanent dimension, Levinas implicitly identifies the other with divine Other. However, the identification of the other and divine Other is evident when Levinas says that the religion is the bond between the same and the other: “We propose to call ‘religion’ the bond that is established between the same and the other without constituting a totality.”²⁵ For Levinas, in religion the same cannot constitute a totality with the divine Other. In the same way, the same has a religious relationship with the other. In the bond between the same and the other, the other is equated with divine Other. The other, therefore, by being identified with divine Other, absolutely affirms her transcendental and infinite alterity.

The Levinasian idea of the other acquires her transcendence and infinity through his view of being as exteriority, time as immemorable past, infinite future, and pure passive death, and destitution of face as reference to divine Other. The other who has the height of divine Other thus establishes an asymmetrical relationship to the same. Based on the asymmetrical relationship with the same, Levinas opens a way to provide complete protection to the other, who has transcendental and infinite alterity.

1.1.2 Limitations of Levinas’s idea of the Other

While the idea of the other establishes a fundamental ground for the complete protection of the other, it has intrinsic limitations in protecting the vulnerable. Though Levinas emphasizes transcendental and infinite dissymmetry between the other and a subject, the infinity and transcendence of the other is the very limitation of protecting her concrete vulnerability.

²⁴ Lévinas, *Totality and Infinity*, 78-79.

²⁵ Lévinas, *Totality and Infinity*, 40.

First of all, the Levinasian idea of the other appears to make the other an angelic being. The other is a transcendent and infinite being who has absolute alterity. It is unmediated by totality. Though Levinas specifically refers to the stranger, the widow, and the orphan as epiphany of the other, they have importance not as historical beings but as infinite and transcendent beings. Anselm Min says, “At best, Levinas reduces the stranger, the widow, and the orphan to *abstract* symbols of human vulnerability *in general*, with nothing historically concrete and specific about them.”²⁶ As an angelic being, the other loses her concrete vulnerability. While a stranger, a widow, or an orphan has the concrete political, economic, medical, or cultural vulnerability, an angelic being does not have such vulnerabilities. That is to say, an angelic being does not have to worry about her political persecution, economic distress, medical disadvantages, or cultural ignorance. But, a stranger, a widow, or an orphan is overwhelmed by worries. She needs her shelter, employment, education, medical treatment, cultural recognition, and so on. Without addressing those concerns, a stranger, a widow, or an orphan is unable to overcome her vulnerability. Whereas being transcendently secured, the other for Levinas then remains concretely vulnerable.

Such limitation is caused by Levinas’s rejection of an incarnational understanding of human beings. “The Other is not the incarnation of God, but precisely his face, in which he is disincarnate, is the manifestation of the height in which God is revealed.”²⁷ Levinas denies the immanence of human beings in history while accepting their transcendence in history. Levinas’s contribution is that he places special emphasis on the transcendental dimension of the other. However, if the transcendental dimension negates the immanent dimension of the other, the other

²⁶ Anselm Kyongsuk Min, *The Solidarity of Others in a Divided World: A Postmodern Theology after Postmodernism* (New York; London: T&T Clark International, 2004), 13-14.

²⁷ Lévinas, *Totality and Infinity*, 79.

is exposed to the aforementioned concrete vulnerability. While the other without the transcendental dimension has experienced the imperialism of the same, the other without immanence will experience indifference and isolation from the same. Diane Perpich puts it in this way:

“Justice requires representation – and recognition, too, we might add. Levinas may well have been thinking of representation in this passage only in the sense of the presentation of an object in consciousness, that is, as the representation of persons in the abstract. But political representation, as the right and actuality of having an effective voice in the civil society and government, clearly is equally necessary for justice. The other whose identity is rendered unintelligible or unrepresentable is thus done an injustice: an ethical as well as a political injustice”²⁸

As immanence of the other is ignored, the unintelligible and unrepresentable other is unrecognizable in civil society and accordingly aggravates her vulnerability.

In order to address the vulnerability of the other, not only her transcendence but also her immanence should be taken into consideration: “The ethical dignity of the other may ‘trace’ its origin to her transcendent relation to the infinite, but that dignity is effectively destroyed or honored only in her immanent relations to history and society, and both the transcendent and the immanent relations are inseparably connected in the unity of the one person.”²⁹ With clear separation between transcendence and immanence, however, the other is not able to address the concrete vulnerability of the other.

In *Otherwise than Being or Beyond Essence*, Levinas shows a quite different relationship between transcendence and immanence of the other when he talks about justice. In justice, the transcendence no longer means total separation from the immanence. Justice needs to be under

²⁸ Diane Perpich, "Levinas, Feminism, and Identity Politics," in *Radicalizing Levinas*, ed. Peter Atterton and Matthew Calarco (Albany: State University of New York Press, 2010), 34.

²⁹ Min, *The Solidarity of Others in a Divided World*, 14.

“the control of the responsibility of the one for the other.”³⁰ That is to say, the transcendence of the other becomes the criterion in judging immanent matters of the other. Put differently, the political relationship of the I to the immanent other should be based on the ethical relationship of the I to the transcendent other. While he seems to bridge the gap between the transcendence and the immanence of the other, his view of justice still reveals a refusal of representation of the other, that is, a refusal of the immanent dimension of the other: “justice remains justice only, in a society where there is no distinction between those close and those far off.”³¹ Levinas puts forward his hesitation to accept immanent dimensions of the other as she is, because the face is unable to fully represent the other.³² The immanent dimension of the face cannot fully cover the transcendental dimension of the other. Every representation of the other is limited in expressing the other. Nonetheless the immanent dimension of the other is the very place to reveal and address her vulnerability with which justice should be concerned while we retain the paradox that we are representing the unrepresentable. Without identifying vulnerability through her immanent dimension, the paradox might lead to regarding the other as an angelic being. Even when understanding the paradox as a request for the subject to pay more attention to her representation of the other, the paradox leads to another question of who the other is.

Encountering the face of the other, we are to decide whether every human being is the other or only a certain being is the other: that is, whether all human beings are vulnerable or some of them are vulnerable. Since Levinas contends that the face itself is the revelation of the

³⁰ Emmanuel Lévinas, *Otherwise Than Being, or, Beyond Essence* (Pittsburgh, Pa.: Duquesne University Press, 1998), 159.

³¹ Lévinas, *Otherwise Than Being, or, Beyond Essence*, 159.

³² Judith Butler puts it as follows: “For Levinas, then, the human is not represented by the face. Rather, the human is indirectly affirmed in that very disjunction that makes representation impossible, and this disjunction is conveyed in the impossible representation. For representation to convey the human, then, representation must not only fail, but it must show its failure. There is something unrepresentable that we nevertheless seek to represent, and that paradox must be retained in the representation we give.” Judith Butler, *Prekarious Life: The Powers of Mourning and Violence* (London ; New York: Verso, 2006), 144.

vulnerability of the other, all human beings are vulnerable. Though Levinas mentions a stranger, a widow, and an orphan in referring to the other, considering that the face itself reveals vulnerability, every human being whether an oppressor or a victim is the other. In principle, I agree that every human being without her political, economic, and cultural status is the other who deserves my ultimate responsibility not to kill her. This is because she has the dimension of transcendence. In this vein, if I only count the transcendent dimension of an oppressor, she deserves my welcome. But, an oppressor has an immanent dimension as every human being has both immanent and transcendental dimensions. In light of an immanent dimension, an oppressor is totally different from the oppressed. It is ambiguous whether Levinas differentiates the oppressed from oppressors; he is hesitant to judge the other. In dealing with immanent matters, for instance, Levinas emphasizes inadequacy of objective judgment: “There exists a tyranny of the universal and of the impersonal, an order that is inhuman though distinct from the brutish. Against it man affirms himself as an irreducible singularity, exterior to the totality into which he enters, and aspiring to the religious order where the recognition of the individual concerns him in his singularity ... The judgment of history is always pronounced in absentia.”³³ Put differently, to properly judge an individual as a singularity, Levinas contends that every individual should be treated as the transcendent and infinite other no matter who she is. If every individual is a transcendent and infinite other, it is difficult to distinguish between oppressors and the oppressed, the exploiting and the exploited, ostracizers and the ostracized, to name a few. If the victims are not differentiated from victimizers, the idea of the other is unable to address the wrongs of the victimizers and accordingly the vulnerability of the victims remains the same. While Levinas

³³ Lévinas, *Totality and Infinity*, 242.

protects transcendental vulnerability of the other in her face, he ends up ignoring different vulnerabilities between a victim and a victimizer.

Levinas's rejection of immanent dimension of the other is not without reason. In order to have ethical primacy of the other over the same, Levinas has to deny immanent dimension of the other. If considering only immanent dimensions, he is not able to establish dissymmetry of the other to the same. But, it is not easy to observe transcendental dimension of the other in real life. Alain Badiou puts it in this way:

The ethical primacy of the Other over the Same requires that the experience of alterity be ontologically 'guaranteed' as the experience of a distance, or of an essential non-identity, the traversal of which is the ethical experience itself. But nothing in the simple phenomenon of the other contains such a guarantee. And this simply because the finitude of the other's appearing certainly can be conceived as resemblance, or as imitation, and thus lead back to the logic of the Same. The other always resembles me too much for the hypothesis of an originary exposure to his alterity to be necessarily true.³⁴

Because of the difficulty to overcome the finite appearance of the other, Levinas exalts the other to divine Other, which has infinite distance and difference from the same.³⁵ Levinas avoids the difficulty overcoming resemblance of the other with his view of the other as divine Other. Levinasian identification of the other with divine Other is helpful to unearth transcendental dimension of the other and accordingly prevents the other from being subsumed by the same.

However, Levinasian identification of the other with divine Other reveals another problem: ignorance of concrete differences of the other. Badiou points out that Levinasian ethics

³⁴ Alain Badiou, *Ethics: An Essay on the Understanding of Evil* (London ; New York: Verso, 2001), 21-22.

³⁵ Badiou, *Ethics: An Essay on the Understanding of Evil*, 22; Phillip Blond, "Emmanuel Levinas: God and Phenomenology," in *Post-Secular Philosophy: Between Philosophy and Theology*, ed. Phillip Blond (London ; New York: Routledge, 1998), 213: "Levinas – hoping to maintain the absolute quality of otherness – reconfigured his project and brought God into the self-other relation to radicalize and absolutise the previously human dimensions of the other."

which is a pious discourse identifying the Other with the One, divine Other, is inadequate “in the context of a system of thought that is both a-religious and genuinely contemporary with the truths of our time.”³⁶ He cannot accept Levinasian ethics of the other as the One, since “[t]he only genuine ethics is of truths in the plural – or more precisely, the only ethics is of processes of truth, of the labour that brings some truths into the world.”³⁷ Thus, abandoning the Levinasian transcendental dimension of the other, Badiou emphasizes exclusively the immanent dimension of the other, which is not one but multiple, because what exists is “the infinite multiplicity of differences.”³⁸ Badiou contends multiple differences of others replacing the other as the One with the many. While I agree that in the realm of the same there is the infinite multiplicity of differences, Badiou’s view exposes two problems. On the one hand, I disagree that “the infinite multiplicity of differences” can peacefully co-exist with one another without the idea of the other which has a dissymmetrical relationship with a subject. It is because Badiou’s view goes back to the unavoidable subsumption of the other by the same as differences of others are juxtaposed with one another: denying transcendence of the other makes untenable his view of peaceful coexistence among the infinitely multiple differences. On the other hand, the infinite multiplicity of differences can make ambiguous the distinction between oppressors and the oppressed. Allowing every difference as having a truth, an oppressive difference can have legitimacy as one truth. While Levinas has this problem as he focuses on the transcendental dimension of the other, Badiou has it as he focuses on the immanent dimension of the other. Although his way of recognizing multiple differences reveals impotence in addressing subsumption of the other by the same and inability to differentiate oppressive differences from oppressed differences, Badiou

³⁶Badiou, *Ethics: An Essay on the Understanding of Evil*, 25.

³⁷Badiou, *Ethics: An Essay on the Understanding of Evil*, 28.

³⁸Badiou, *Ethics: An Essay on the Understanding of Evil*, 27.

correctly points out the limitation of Levinas' identification of the other with divine Other, which is ignorance of immanent multiple differences of the other.

Phillip Blond discusses the danger of the identification of the other as divine Other.³⁹ Blond criticizes Levinas's view of the other focusing on Levinas's Manichaeic tinge of the Other as divine Other who negatively engages in the world. That is to say, Blond criticizes the radical dualism which can be witnessed in gnostic thought. Referring to the unavoidably opposite relationship between God and phenomenology, Blond says,

For if the deepest of these atheistic and in the end essentially Manichaeic prejudices is that God and phenomena, in order to preserve their true natures, must occur apart from and in contra-distinction to each other, then Levinas can only be seen as fulfilling to an extreme degree this deeply ingrained and deeply idolatrous opposition. However, what is remarkable and what is new in respect of this tradition is that Levinas has taken the side of God against phenomena rather than the side of phenomena against God, such that it is the phenomenal world that is erased in the name of God, instead of the more common erasure of God in the name of phenomena.⁴⁰

Put differently, while totality infringes on the other as it negates or dominates the other, according to Blond, Levinas nihilates totality for the other. Though Levinas proposes the idea of the other to prevent the other from being infringed upon by totality, he ends up allowing destruction of totality by the other. Blond says that "this situation is starting to look perilously like what Levinas has described as 'the same.'"⁴¹ In the realm of the same, a subject, by negating otherness of the other, identifies the other as the same. In the same vein, the other as divine Other, by nihilating the same, identifies the same as the other. The same has no choice but to nihilate

³⁹ In his book, *The Gift of Death*, Jacques Derrida refers to an ethical impasse when the other is identified with the Other through the example of Abraham's attempt to kill his son. See Jacques Derrida, *The Gift of Death* (Chicago: University of Chicago Press, 1995), 53-81. The ethical impasse will be dealt with later. Here, I focus on the issue of dualism that identification of the other with divine invokes.

⁴⁰ Blond, "Emmanuel Levinas," 215-16.

⁴¹ Blond, "Emmanuel Levinas," 217.

herself, since negating herself “is a sacrifice without reserve, without holding back, and in this non-voluntary – the sacrifice of a hostage designated who has not chosen himself to be hostage, but possibly elected by the Good, in an involuntary election not assumed by the elected one.”⁴² Such total negation of the same is possible because in the Levinasian concept of the other the same is evil and the other is good. In light of the Manichaeian scheme, Blond contends that Levinasian idea of the other is “obviously and necessarily violent.”⁴³

Whereas there is a truth in Blond’s criticism that the Levinasian idea of the other has a Manichaeian scheme, it needs to be mentioned that the other as divine Other does not have a compulsory power. Levinas differentiates between authority and force in that regard. The other as divine Other has authority but it does not have force:

The face is not a force. It is an authority. Authority is often without force. Your question seems to be based on the idea that God commands and demands. He is extremely powerful. If you try not doing what he tells you, he will punish you. That is a very recent notion. On the contrary, the first form, the unforgettable form, in my opinion, is that, in the last analysis, he cannot do anything at all. He is not a force but an authority.”⁴⁴

Responsibility for the other is far from compulsory or mandatory. Contrary to what Blond contends, the Levinasian idea of the other is neither violent nor brutal unlike the realm of the same. Blond went too far in this regard. What is important in Blond’s points is that like the Manichaeian understanding of the world the realm of the same, the immanent is described negatively in Levinasian idea of the other. The negative understanding of the immanent can lead

⁴² Lévinas, *Otherwise Than Being, or, Beyond Essence*, 15.

⁴³ Blond, "Emmanuel Levinas," 217.

⁴⁴ Robert Bernasconi and David Wood, *The Provocation of Levinas: Rethinking the Other* (London ; New York: Routledge, 1988), 169.

to indifference to real vulnerability of the other and make impotent the works for addressing real vulnerability of the other.

1.1.3 From the other to concrete others

The criticism on the Levinasian idea of the other shows the critical limitations in addressing the vulnerability of a stranger, a widow, or an orphan. To overcome critical limitations such as the other as an angelic being, the other as one unifying other, and the Manichaeian dualism tendency, I propose an idea of concrete others. The idea of concrete others emphasizes the immanent dimension of the other while keeping the transcendental dimension of the other, and the multiplicity of differences in an immanent dimension not in a transcendent dimension. The idea of concrete others also takes into account a globalizing world that produces more vulnerable others. I will, by way of an illustration, enlist others who are concretely vulnerable in a globalizing world.

The idea of concrete others attaches special importance to an immanent dimension of the vulnerable. While accepting the importance of the transcendental dimension of the vulnerable, the idea of concrete others is more concerned about the immanent dimension of the vulnerable. Whereas Levinas refuses an incarnational understanding of human beings, I contend that human beings should be understood in light of incarnation. That is to say, human beings have both the transcendental dimension and the immanent dimension without the one negating the other. Without the transcendence the immanence leads a human being to violence of the same; conversely, without the immanence the transcendence makes a human being an indifferent angelic being. Thus, ignoring the immanent dimension of a human being is tantamount to negating her concrete existence. Without her concrete existence, her transcendental dimension becomes meaningless. In terms of Manichaeian dualism, an incarnational understanding of

human beings gives positive meaning to immanence: The world is not a place to avoid but the very place where a transcendental being exists. In light of the creation story, the world is created for human beings and human beings are called to enjoy the created world. The created world is not a place for preparing for the other world; it is the very place where human beings were created and called to live. Thus the immanent dimension is not a secondary one for a human being; rather, it is her primary dimension.

The idea of concrete others is better than the idea of the other in encompassing diverse immanent differences of the vulnerable. In light of the immanent dimension, the idea of other is incapable of covering the vulnerable, since the idea of the other is impossible to express the immanent differences of the vulnerable. The vulnerable have finite characteristics. They belong to a certain family, community, state, ethnicity, economic class, and race, to name a few. Such finite characteristics have no one common denominator; rather, there can be overlapping similarities. These finite characteristics, which are multiple identities, are important to them because their vulnerability is closely connected with their multiple identities. She is vulnerable because of her race or her family, while he is vulnerable because of his ethnicity or his national identity. These group identities are inseparable identities, some of which are given by birth. Group identity is not something that can be easily changed or replaced. For instance, John Rawls talks about the gravity of leaving one's country: "normally leaving one's country is a grave step: it involves leaving the society and culture in which we have been raised, the society and culture whose language we use in speech and thought to express and understand ourselves, our aims, goals, and values; the society and culture whose history, customs, and conventions we depend on to find our place in the social world."⁴⁵ He also adds that cultural ties "are normally too strong to

⁴⁵ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 222.

be given up, and this fact is not to be deplored.”⁴⁶ In a similar vein, Daniel Bell says, “I didn’t choose to love my mother and father, to care about the neighbourhood in which I grew up, to have special feelings for the people of my country, and it is difficult to understand why anyone would think that I have chosen those attachments, or that I ought to have done so.”⁴⁷ An individual has been given identities beyond her choice. There are other human beings who share some of her given identities. She is characterized as, for instance, Tutzi in Rwanda, but there are others who identify themselves as Tutzi. They can be categorized as the other as Tutzi, but they have other identities such as an economic class or a political affiliation: Some of them are poor while a few of them are rich; some of them are in a group requesting radical retaliation for genocide while others prefer peaceful settlements. They have different group identities according to their political, economic, or cultural differences. Considering that there are many identities that make people vulnerable, the idea of concrete others seems to be more appropriate than the idea of the other, in designating diverse groups of the vulnerable. Concrete others are the vulnerable who have immanent different identities as well as transcendence.

Our globalizing world is another reason why the idea of concrete others rather than the other is appropriate for representing the vulnerable. A globalizing world has brought about many changes in this world. While there are various opinions on the changes, Manfred Steger points out some thematic overlap in diverse scholarly explanations on changes in a globalizing world:

First, globalization involves the creation of new and the multiplication of existing social networks and activities that increasingly overcome traditional political, economic, cultural, and geographical boundaries... The second quality of globalization is reflected in the expansion and the stretching of social relations, activities, and interdependencies... Third, globalization involves the intensification and acceleration of

⁴⁶ Rawls, *Political Liberalism*, 277.

⁴⁷ Daniel Bell, *Communitarianism and Its Critics* (Oxford: Clarendon Press, 1993), 4.

social exchanges and activities...Fourth, the creation, expansion, and intensification of social interconnections and interdependencies do not occur merely on an objective, material level...[P]eople [become] increasingly conscious of growing manifestations of social interdependence and the enormous acceleration of social interactions.⁴⁸

Steger asserts that an overlapping theme of globalization is social relations and activities that are being created, multiplied, expanded, stretched, intensified, and accelerated. Such lively social interaction increases and intensifies social interconnections and interdependencies among human beings. Because of increased interconnections, on the one hand, more differences are exposed than before as different races and different ethnicities are brought together beyond national and continental boundaries. Increased interconnections make visible dire situations of the vulnerable. Intensified interdependencies, on the other hand, may worsen the situation of the vulnerable, because intensified interdependencies could exacerbate a given unequal relationship between the powerless and the powerful. Both cases make diverse differences more prominent and emboss the immanent dimension of the vulnerable. Thus, the idea of the other, transcendence oriented and unifying concept is inadequate; the idea of concrete others, immanence and difference oriented concept, is adequate to designate the vulnerable in a globalizing world. A globalizing world produces the many concrete vulnerable. I broadly categorize them as economic others and political others, because economic and political dimensions of human life are crucial factors that make humans vulnerable. In the current global system, in addition, human vulnerability is evident in medical dimension and cultural dimension. Thus, I deal with economic others, medical others, cultural others, and political others.

First, there are economic others who are alienated and exploited by a global economy that is based on neoliberalism which espouses the belief that "human well-being can best be

⁴⁸ Manfred B. Steger, *Globalization: A Very Short Introduction* (Oxford ; New York: Oxford University Press, 2003), 9-12.

advanced" with "strong private property rights, free markets, and free trade."⁴⁹ Based on this belief, its basic doctrines are "deregulation, privatization, economic liberalization, labor flexibilization and diminished state-supported social provisions."⁵⁰ Deregulation allows foreign capital to flow without state regulations; economic liberalization with deregulation "dismantles restrictions on the flow of goods, services, and foreign investment"; privatization "puts public productive and service enterprises into the private sector, reducing state-subsidized social services and reducing public sector corporations"; and labor flexibilization provides "an abundant supply of cheap, controllable and disposable labor force."⁵¹

While neoliberal globalization has exacerbated the situation of the vulnerable, it does not unilaterally deteriorate the lives of the vulnerable from the beginning. For instance, poor countries need investment. Foreign direct investment (FDI) is of help to the poor countries, since with its money FDI creates jobs in those countries. The problem with FDI is that it is concerned about profits, not about workers. When FDI enters poor countries, wage premiums grow and working conditions improve; when "FDI declines, employment shares and wage differentials fall."⁵² What is worse is that when FDI withdraws from a country, it causes mass layoffs as is evident in the 1997 Asian financial crisis. Neoliberal globalization has brought some benefit to poor countries; but it is agreed among scholars that it "has increased inequality both within and

⁴⁹ David Harvey, *A Brief History of Neoliberalism* (Oxford; New York: Oxford University Press, 2005), 2.

⁵⁰ Ligaya Lindio-McGovern and Isidor Wallimann, "Neoliberal Globalization and Third World Women: Exploitation, Coping and Resistance," in *Globalization and Third World Women : Exploitation, Coping and Resistance*, ed. Ligaya Lindio-McGovern and Isidor Wallimann (Farnham, England ; Burlington, VT: Ashgate Pub., 2009), 2.

⁵¹ Lindio-McGovern and Wallimann, "Neoliberal Globalization and Third World Women: Exploitation, Coping and Resistance," 2.

⁵² Raymond Robertson and World Bank., *Globalization, Wages, and the Quality of Jobs : Five Country Studies* (Washington D.C.: World Bank, 2009), 8.

between societies.”⁵³ In South Asia about half-a-billion people have experienced a decrease in their incomes, whereas only a few educated urbanites have made more money.⁵⁴ Overseas migrations as well as regional migrations are increasing in number because of the economic deprivation caused by globalization.⁵⁵ For instance, local Mexican farmers abandoned their land and headed cities and 44% of Mexican migrants to the U.S. are those who live in the countryside.⁵⁶ The migrant workers are located “mostly in the lower rank of the occupational ladder.”⁵⁷ Not only countries of the South (poor countries) but also Northern countries are experiencing intensified inequalities. The top 5 percent of the U.S. population had more than 55 percent of the total wealth of the U.S. while its bottom 50 percent had 2.8 percent of the wealth.⁵⁸ For more than 10 years, the number of people in poverty in the United States has increased continuously: In 2010, the official poverty rate was 15.1 percent and the number of people in poverty reached 46.2 million.⁵⁹ Using sub-national studies of five countries, Uganda, Peru, Kenya, India, and the United States, Anirudh Krishna concludes that “the risk of impoverishment

⁵³ David Held, *A Globalizing World?: Culture, Economics, Politics*, 2nd ed. ed. (London: Routledge in association with the Open University, 2004), 98-99; Bryan S. Turner and Habibul Haque Khondker, *Globalization: East and West* (Thousand Oaks, CA: SAGE, 2010), 10.

⁵⁴ Held, *A Globalizing World?*, 99.

⁵⁵ Held, *A Globalizing World?*, 101. Hardt and Negri shows how global economy mass-produces migrant workers. See Michael Hardt and Antonio Negri, *Multitude: War and Democracy in the Age of Empire* (London: Hamish Hamilton, 2005), 133-34. There are now (2005) about 200 million international migrants, roughly the equivalent of the population of Brazil, the fifth largest country of the world, up from 150 million in 2000, 120 million in 1990, 105 million in 1985, 84 million in 1975, and 75 million in 1965.

⁵⁶ Elisabeth Malkin, "After 15 Years, Nafta's Promise Still Unfulfilled in Mexico," *New York Times on the Web* (March 23, 2009). <http://www.nytimes.com/2009/03/24/business/worldbusiness/24peso.html?pagewanted=all> (accessed April 03, 2012).

⁵⁷ Lindio-McGovern and Wallimann, "Neoliberal Globalization and Third World Women: Exploitation, Coping and Resistance," 4.

⁵⁸ See table 10 in Arthur B. Kennickell, "A Rolling Tide: Changes in the Distribution of Wealth in the U.S., 1989-2001," (2003). <http://www.federalreserve.gov/pubs/oss/oss2/papers/concentration.2001.10.pdf> (accessed September 9, 2011). See also table 15, "Inequality in income or expenditure": United Nations Development Programme., *Human Development Report 2006* (Basingstoke ; New York,: Palgrave Macmillan, Published for the United Nations Development Programme, 2006), 335-338. The richest 10% took 29.9% of total U.S. income while the poorest 10% took 1.9% of the total income in 2000.

⁵⁹ Carmen DeNavas-Walt, Bernadette D. Prctor, and Jessica C. Smith, "Income, Poverty, and Health Insurance Coverage in the United States: 2010," *Current Population Reports, P60-239* (2011). <http://www.census.gov/prod/2011pubs/p60-239.pdf> (accessed September 13, 2011).

has increased in recent years” and “vulnerability is consistently on the rise.”⁶⁰ The poor are vulnerable in terms of security and the insecurity perpetuates their poverty.⁶¹ Insecurity and poverty create a vicious cycle.

Second, medical others are produced as economic others are unable to pay and follow medical treatment. The six million deaths of the Holocaust are remembered as a should-not-be-repeated tragedy in human history. Still, the public has no interest in the fact that more than twelve million people die every year because of insufficient medical treatment. Among the victims are half a million women die in childbirth, almost exclusively poor women.⁶²

An absolute majority of these premature deaths occur in Africa, with the poorer regions of Asia not far behind. Most of these deaths occur because the world's poorest do not have access to the fruits of science. They include deaths from vaccine preventable illness; deaths during childbirth; deaths from infectious diseases that might be cured with access to antibiotics and other essential medicines; death from malaria that would have been prevented by bed nets and access to therapy; and deaths from water-borne illnesses.⁶³

Even though science achieved over 95 percent cure rates of tuberculosis, for instance, millions of tuberculosis deaths “occur almost exclusively among the poor.”⁶⁴ Paul Farmer finds that economic factors strongly affect “initial exposure to infection, reactivation of quiescent

⁶⁰ Anirudh Krishna, "Are More People Becoming Vulnerable to Poverty? Evidence from Grassroots Investigations in Five Counties," in *Globalization and Emerging Societies: Development and Inequality*, ed. Jan Nederveen Pieterse and Boike Rehbein (Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan, 2009), 77.

⁶¹ “Poor neighbourhoods suffer from high rates of violent crime. Poor people often lack legal security in relation to their home, possessions and livelihood, and social security that would promise some minimal protection in the event of illness, crop failure, or unemployment.” Irene Khan, *The Unheard Truth: Poverty and Human Rights*, ed. David Petrasek (New York: W.W. Norton & Co., 2009), 9.

⁶² Paul Farmer, "Challenging Orthodoxies: The Road Ahead for Health and Human Rights," *Health and Human Rights* 10, no. 1 (2008): 9.

⁶³ Jim Young Kim and Paul Farmer, "Global Issues in Medicine," in *Harrison's Principles of Internal Medicine*, ed. Anthony S et al. Fauci (New York: McGraw-Hill Medical, 2008), 15.

⁶⁴ Paul Farmer, *Pathologies of Power: Health, Human Rights, and the New War on the Poor* (Berkeley: University of California Press, 2005), 147.

tuberculosis, transmission to household members, access to diagnosis and therapy, length of convalescence, development of drug resistance, degree of lung destruction, and most of all, mortality.”⁶⁵ He thus concludes that diseases such as HIV and tuberculosis have displayed a “preferential option for the poor.”⁶⁶

While the poor are the medical others, because of medical expenses people become poor and impoverished. Based on a 2005 statistic in the United States, “every thirty seconds, someone files a bankruptcy in the aftermath of a serious health problem.”⁶⁷ One out of five bankrupt families went without food and a third of them had their utilities shut off.⁶⁸ In 2005 half of bankruptcy was caused by medical expenses but it went up to 62.1 percent in 2007.⁶⁹ In developing countries, on the other hand, the poor become unhealthier and poorer as they use drugs without proper prescriptions because they are unable to pay for professional health services. They use drugs sold by private drug vendors who “are often unqualified, frequently do not follow prescribing regulations” and thereby “waste scarce financial resources” using drugs unhealthily and irrationally.⁷⁰

While the economic others are innately the medical others, neoliberal globalization has exacerbated their medical vulnerability. The World Bank and the International Monetary Fund (IMF) have pushed poor countries to reduce social expenditures in health in order to induce foreign capital, believing that more development brings health improvement. Contrary to their expectation, the poor become more vulnerable as “health-sector spending in many poor countries

⁶⁵ Farmer, *Pathologies of Power: Health, Human Rights, and the New War on the Poor*, 151.

⁶⁶ Farmer, *Pathologies of Power: Health, Human Rights, and the New War on the Poor*, 140.

⁶⁷ Elizabeth Warren, "Sick and Broke," *Washington Post on the Web* (February 9, 2005).

<http://www.washingtonpost.com/wp-dyn/articles/A9447-2005Feb8.html> (accessed September 19, 2011).

⁶⁸ Warren, "Sick and Broke."

⁶⁹ David U. Himmelstein and others, "Medical Bankruptcy in the United States, 2007: Results of a National Study," *The American Journal of Medicine* 20, no. 10 (2009): 1.

⁷⁰ Margaret Whitehead, Göran Dahlgren, and Timothy Evans, "Equity and Health Sector Reforms: Can Low-Income Countries Escape the Medical Poverty Trap?," *Lancet* 358, no. 9284 (2001): 833-35.

channeled a majority of resources toward city hospitals that served mostly elites who were able to pay.”⁷¹ In addition, there are medical “brain drains” in poor countries. In Ghana, for instance, “72 percent of all clinics and hospitals were unable to provide the full range of expected services due to lack of sufficient personnel.”⁷² What exacerbates the problem is the phenomenon that “health professionals from poor countries worldwide are increasingly abandoning their homes and their professions to take menial jobs in wealthy countries.”⁷³ Because of medical brain drains coupled with the absence of medicines and tools, health-care workers regard them as “hospice and mortuary workers [rather] than healers.”⁷⁴ A globalizing world makes medical others more vulnerable.

Third, cultural others are evident in a globalizing world. A globalizing world is equated with multiculturalism. The world becomes multicultural “as a result of the mobility of people or by growing political recognition of groups hitherto marginalized.”⁷⁵ In a multicultural world, there are two ways that make people cultural others. On the one hand, while cultural others are recognized and represented by global media and global corporations, they have no substantial representation or recognition. That is to say, their economic status has not been improved. There are fewer opportunities for minority groups and community groups.⁷⁶ In addition, cultural others who are poor have limited access to information owing to lack of electricity and communication technologies, and have limited amounts of available information as global media corporations

⁷¹ Kim and Farmer, "Global Issues in Medicine," 8.

⁷² Laurie Garrett, "The Challenge of Global Health," *Foreign Affairs* 86, no. 1 (2007): 26.

⁷³ Garrett, "The Challenge of Global Health," 28.

⁷⁴ Garrett, "The Challenge of Global Health," 28.

⁷⁵ Turner and Khondker, *Globalization: East and West*, 175.

⁷⁶ Naomi Klein, *No Logo: No Space, No Choice, No Jobs*, 10th anniversary ed. (New York: Picador, 2010),

gather, select, and distribute information for their benefit, not for the poor.⁷⁷ In this light, images of cultural others are accepted but cultural others themselves are ignored. On the other hand, their very cultural identities are ignored and negated. Their languages, religions, or appearances are challenged by mainstream cultures. It is said that “[a]bout 513 million people face restrictions on religion, language, ceremonies, and appearance.”⁷⁸ While there are more than 6000 languages spoken today, 90 percent of them are going to disappear in 100 years: “in sub-Saharan Africa, only 13 percent of children in primary school receive instruction in their mother tongue.”⁷⁹ Considering the intimate relationship between languages and cultures, forgotten languages are tantamount to forgetting cultural differences. In a multicultural world, in addition, cultural and racial conflicts abound in both rich countries and poor countries. Among rich countries, England and France, well-established multicultural states, on the one hand, reveal discrimination against immigrants from different cultures as they are emphasizing either Britishness or Republicanism, respectively.⁸⁰ On the other hand, acute racial and cultural conflicts in poor countries are evident: for instance, out of eighty two armed conflicts seventy nine conflicts are inter-ethnic and inter-communal conflicts in the world between 1989 through 1992.⁸¹

⁷⁷ Held, *A Globalizing World?*, 57, 61; Joseph E. Stiglitz, *Globalization and Its Discontents* (New York: W. W. Norton & Co, 2002), x-xi. Stiglitz calls it “asymmetries of information.”

⁷⁸ Peter M. Haas, John A. Hird, and Beth McBratney, *Controversies in Globalization: Contending Approaches to International Relations* (Washington, DC: CQ Press, 2010), 338.

⁷⁹ Haas, Hird, and McBratney, *Controversies in Globalization*, 338.

⁸⁰ Rose Capdevila and Jane Callaghan, "It's Not Racist, It's Common Sense: A Critical Analysis of Political Discourse around Asylum and Immigration in the UK," *Journal of Community and Applied social Psychology* 18, no. 1 (2008): 1-16; Susan Ossman and Susan Terrio, "The French Riots: Questioning Spaces of Surveillance and Sovereignty," *International Migration* 44, no. 2 (2006): 5-21.

⁸¹ UNESCO, "The Twenty-First Century: Towards the Identification of Some Main Trends" www.unesco.org/webworld/taskforce21/documents/binde_en.rtf (accessed September 25, 2011).: “we have seen a rise in the number of infra-State confrontations and inter-ethnic or inter-communal conflicts, which now represent the type of conflict *par excellence* at the dawn of the twenty-first century. Thus, out of the 82 armed conflicts recorded between 1989 and 1992, only three were between States.”

Fourth, political others are notable with the widening inequality of political power between poor countries and rich countries, and between the poor and the rich within each country. Powerful countries such as the United States exert undue influence on global affairs.⁸² In the United Nations Security Council, some powerful countries have the right to veto, which the majority of nation-states in the U.N. do not have. They oligopolize the power to make life-or-death decisions for the powerless countries. In the 1994 genocide in Rwanda, for example, the U.S. did not allow military intervention by the U.N. even when the intervention was urgently needed.⁸³ As another example, the U.S. declared to veto Palestine's bid for state, asking for a peace agreement between Israel and Palestine although knowing that they have never achieved any agreement.⁸⁴ The present structure of the Security Council is unable to address political others, Peter Singer asserts, since "the institutions of global governance are dominated by the wealthiest and most powerful states."⁸⁵

In the case of the IMF whose decisions "affect the lives and livelihoods of billions throughout the developing world," there is no place for workers in the decision making process: "The workers who are thrown out of jobs as a result of the IMF programs have no seat at the table; while the bankers, who insist on getting repaid, are well represented through the finance ministers and central bank governors. The consequences for policy have been predictable: bailout packages which pay more attention to getting creditors repaid than to maintaining the economy at full employment."⁸⁶ Within individual nations, the rich have more political power

⁸² Held, *A Globalizing World?*, 153.

⁸³ Michael N. Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda* (Ithaca: Cornell University Press, 2002), 130-152.

⁸⁴ Helene Cooper, "Obama Explains Opposition to Palestinian Statehood Bid," *New York Times on the Web* (September 21, 2011). http://www.nytimes.com/2011/09/22/world/obama-united-nations-speech.html?_r=1&scp=3&sq=palestine%20statehood&st=cse (accessed September 26, 2011).

⁸⁵ Peter Singer, *One World: The Ethics of Globalization* (New Haven: Yale University Press, 2002), 146.

⁸⁶ Stiglitz, *Globalization and Its Discontents*, 225.

than the poor. In the globalizing world, private interests are inserted in public policymaking in such a way as to strengthen “its representation as neutral and technical” and “the market as a superior ordering from that of governments.”⁸⁷ Considering that the domain of the public is “a buffer against the vagaries of the market and the inequalities of the class system,”⁸⁸ the superiority of private interests over the governments is tantamount to a political death sentence for the poor. One example of demonstrating the political power of the rich is the tax reduction for the wealthy by silently legislating “the massive estate-tax break.”⁸⁹ Another example is the policy “privileging low inflation over job growth.”⁹⁰ With the policy, the wealthy can prevent their capital from devaluation but unemployment is unavoidable to the poor. Similar to the poor, immigrants are unauthorized people who are present “without power and a politics that claims rights.”⁹¹ Immigrants, specifically, undocumented immigrants, are working under harsh conditions. But, they do not have political rights to redress their dire situation.

In a nutshell, the vulnerable in a globalizing world exist as economic others, medical others, cultural others, and political others, to name a few. Concrete others “do not have a right to the resources that make life possible; in other words, they do not have the right to exist.”⁹² In a globalizing world, “the traditional distinctions between the economic, the political, the social, and the cultural become increasingly blurred.”⁹³ Basically, concrete others are economic others who suffer medical, cultural, and political destitution. However, it does not mean that the

⁸⁷ Saskia Sassen, *Territory, Authority, Rights: From Medieval to Global Assemblages* (Princeton, N.J.: Princeton University Press, 2006), 186.

⁸⁸ Sassen, *Territory, Authority, Rights*, 285.

⁸⁹ Karen Hube, “The Tax Law That Could Make Your Grandchildren Super-Rich,” *The Washington Post on the Web* (June 25 2011). http://www.washingtonpost.com/business/the-tax-law-that-could-make-your-kids-super-rich/2011/06/20/AG2DoskH_story.html (accessed September 16, 2011).

⁹⁰ Sassen, *Territory, Authority, Rights*, 233.

⁹¹ Sassen, *Territory, Authority, Rights*, 294, 315.

⁹² Néstor Míguez, Joerg Rieger, and Jung Mo Sung, *Beyond the Spirit of Empire: Theology and Politics in a New Key* (London: SCM, 2009), 12.

⁹³ Hardt and Negri, *Multitude*, 109.

vulnerable are equated exclusively with the economic others. A globalizing world produces others whose vulnerability is related mainly-but-not-exclusively to economic destitution and partly-but-still-seriously to cultural and political destitution.

1.2 An ethics of concrete others

In order to address such diverse vulnerabilities of concrete others, I propose an ethics of concrete others. Though based on Levinasian ethics of the other, an ethics of concrete others is different in important ways. While Levinasian ethics has trouble in considering concrete differences of others, an ethics of concrete others takes the concrete differences into consideration. That is, an ethics of concrete others pays special attention to economic, medical, cultural, and political vulnerabilities. In developing an ethics of equality that substantially promotes difference, I will engage in discussion with ethics of the multitude, ethics of *différance*, and ethics of equality and difference.

When it comes to concrete others who are economically, medically, culturally, and politically alienated and exploited, the question is raised whether they are just collective individuals or undifferentiated unity. This question is important in that how to frame concrete others determines how to address the vulnerability. Hardt and Negri propose the concept of the multitude to frame the vulnerable. I call their way an ethics of the multitude. Since their ethics is closely related to their definition of the multitude, I am going to delve into the concept of the multitude.

1.2.1 An ethics of multitude

In defining the multitude, Hardt and Negri reject choosing an alternative between unity and multiplicity. They contend that the multitude is not an undifferentiated unity, comparing it

with people and the working class. On the one hand, the multitude is different from people. While being “composed of numerous different individuals and classes,” the people as a group converts “social differences into one identity.”⁹⁴ The people has unity. Quite contrarily, the multitude “is composed of a set of singularities” “whose difference cannot be reduced to sameness, a difference that remains different.”⁹⁵ While the concept of the people denotes the undifferentiated unity, the multitude signifies the plural singularities. According to Hardt and Negri, the concept of the multitude refuses undifferentiated sameness among different individuals and classes. Its basis is not unity or identity but “what the singularities share in common.”⁹⁶ The multitude is socio-economically “the common subject of labor, that is, the real flesh of postmodern production, and at the same time the object from which collective capital tries to make the body of its global development.”⁹⁷ What they have in common is that they are “all those who work under the rule of capital and potentially as the class of those who refuse the rule of capital.”⁹⁸ On the other hand, the multitude is different from the working class. The working class “excludes the various unwaged classes” pointing out differences between “male industrial labor and female reproductive labor, between industrial labor and peasant labor, between the employed and the unemployed, between workers and the poor.”⁹⁹ Unlike the concept of the working class which denies the importance of other classes of labor, the multitude implies that “all forms of labor are today socially productive, they produce in common.”¹⁰⁰ Compared to the concept of the working class, the multitude is an inclusive and expansive concept—that includes all who engage in all forms of labor. Thus the multitude is neither an

⁹⁴ Hardt and Negri, *Multitude*, 99.

⁹⁵ Hardt and Negri, *Multitude*, 99.

⁹⁶ Hardt and Negri, *Multitude*, 100.

⁹⁷ Hardt and Negri, *Multitude*, 101.

⁹⁸ Hardt and Negri, *Multitude*, 106.

⁹⁹ Hardt and Negri, *Multitude*, 106.

¹⁰⁰ Hardt and Negri, *Multitude*, 106-7.

undifferentiated unity like the people nor a specific class like the working class. It is a set of singularities sharing in common.

What is “the common” which the multitude shares? Hardt and Negri contend that what the multitude produces is the common, since the multitude—whether they are the poor, the unemployed, the partially employed, or the migrants—participates in social production, “cooperating in the networks of the multitude, that is, the common.”¹⁰¹ At a glance, it is difficult to understand the difference between producing the common and sharing the common. They explain such a complicated relation of the common to the multitude in this way:

What it produces, in fact, is common, and the common we share serves as the basis for future production, in a spiral, expansive relationship. This is perhaps most easily understood in terms of the example of communication as production: we can communicate only on the basis of languages, symbols, ideas, and relationships we share in common, and in turn the results of our communication are new common languages, symbols, ideas, and relationships. Today this dual relationship between production and the common—the common is produced and it is also productive—is key to understanding all social and economic activity.¹⁰²

The common which the multitude produces and shares is the basis of social and economic activity. The common as social and economic activity is connected to the pragmatic notion of habit. According to the pragmatic notion of habit, it “is the common in practice: the common that we continually produce and the common that serves as the basis for our actions.”¹⁰³ In this way, habits “are produced and reproduced in interaction and communication with others. Habits are thus never really individual or personal. Individual habits, conduct, and subjectivity only arise on the basis of social conduct, communication, acting in common. Habits constitute our social

¹⁰¹ Hardt and Negri, *Multitude*, 135.

¹⁰² Hardt and Negri, *Multitude*, 197.

¹⁰³ Hardt and Negri, *Multitude*, 197.

nature.”¹⁰⁴ The common shaped by habit is the core factor that shapes the multitude. Based on the produced and shared common, the multitude is different from a mere gathering of people, a unified people, or the working class.

Considering the concept of the multitude anchored in the common, however, it is unclear whether Hardt and Negri contend that the multitude is neither an undifferentiated unity nor plural collectivities. The common as social nature shaped by habit is the crucial factor that differentiates race, ethnicity, gender, and sexuality. Put differently, the common as social nature is the dividing line among race, ethnicity, gender, and sexuality. The common thus separates the multitude into diverse social groups rather than incorporates diverse groups into the multitude. This is a challenge to the concept of the multitude since at first Hardt and Negri included in their concept of the multitude not just economic class but also social classes of race, ethnicity, gender, and sexuality. If the common cannot be a foundation for the multitude to include different races, ethnicities, genders, and sexualities, the multitude becomes a mere gathering of people such as the crowd and the mass. The multitude is then just plural collectivities. On the other hand, they frame human beings as workers, or at least, producers. All human beings are characterized as workers whether they are reproductive workers, the unemployed, or the poor. In this case, the common seems to be the fact that they are all workers. In this sense, the multitude is an extended and expanded working class. If the multitude is an extended working class, it becomes an undifferentiated unity. The common thus shows that Hardt and Negri are still leaning toward an economic dimension of human beings and they pay secondary attention to the political, social and cultural differences.

¹⁰⁴ Hardt and Negri, *Multitude*, 197.

An ethics of the multitude shows that it is based thoroughly on the economic dimension of vulnerability. But, others are not just poor. While political, social, medical, cultural alienation can be caused by destitution, it does not mean that poverty is its only cause or its removal is its unique solution. Alleviating poverty can address much of the existing political, cultural, and social alienation; but some political, social, and cultural dimensions are beyond economic destitution: some differences of others such as ethnic or religious identities are more important than their economic destitution or even their life itself. That is to say, some try to keep their ethnic or religious identities at the expense of their economic well-being or their very lives. Such differences are not considered in the ethics of the multitude.

Unlike the ethics of the multitude, another ethics is seriously concerned about differences. I call it an ethics of *différance*, which is based on Jacques Derrida's view on differences. Derrida considers seriously the differences of others. When he criticizes Levinas, Derrida points out the Levinasian ignorance of alter ego as the other. "The other as alter ego signifies the other as other, irreducible to my ego, precisely because it is an ego, because it has the form of the ego. The egoity of the other permits him to say 'ego' as I do; and this is why he is Other, and not a stone, or a being without speech in my real economy. This is why, if you will, he is face, can speak to me, understand me, and eventually command me."¹⁰⁵ Difference of the other as alter ego is the point of protection for Derrida.

1.2.2 An ethics of *différance*

Derrida's dilemma begins with his exclusive emphasis on the uniqueness of the immanent alterity of the other. When one respects the immanent alterity of the other, he is faced with two problems. On the one hand, when he emphasizes exclusively the immanent alterity

¹⁰⁵ Jacques Derrida, *Writing and Difference* (Chicago: University of Chicago Press, 1978), 125-126.

saying that the other is radically foreign thus enhancing the alterity to transcendental one, he comes to ignore the concrete other as alter ego. On the other hand, at the very moment when the alterity of the other is identified as a knowledge, the alterity loses its radical foreignness: “we are also unable to encounter the other as radically foreign. The other is always to some extent understood by my horizon of expectation.”¹⁰⁶ Encountering the dilemma, he proposes the concept of *différance*, with which he can delay the process of respecting differences of others while taking differences of others seriously into consideration.¹⁰⁷ His concept of undecidability emerges from *différance*, oscillation between postponement in identification of alterity and command of alterity. Undecidability does not mean that one is unable to decide whether to respect differences of others. It rather shows that respecting the differences of others is fundamental to him.

While serious is his concern for respecting differences of others, the practicality of respecting differences is questionable. Especially, when talking about others rather than the other, his problem is more evident:

There are also others, an infinite number of them, the innumerable generality of others to whom I should be bound by the same responsibility, a general and universal responsibility (what Kierkegaard calls the ethical order). I cannot respond to the call, the request, the obligation, or even the love of another without sacrificing the other other, the other others. Every other (one) is every (bit) other [tout autre est tout autre], every one else is completely or wholly other. The simple concepts of alterity and of singularity constitute the concept of duty as much as that of responsibility. As a result,

¹⁰⁶ Penelope Deutscher, *How to Read Derrida*, 1st American ed. (New York: W. W. Norton, 2006), 73.

¹⁰⁷ Jacques Derrida, "Hospitality, Justice and Responsibility: A Dialogue with Jacques Derrida," in *Questioning Ethics: Contemporary Debates in Philosophy*, ed. Richard Kearney and Mark Dooley (London: Routledge, 1999), 77.: “If I played on the ‘a’ of *différance*, it is in order to keep in a single word two logics: one of the delay, the detour, which implies a process, a strategy or a postponement; and difference with an ‘e’, which implies heterogeneity, alterity and so on.”

the concepts of responsibility, of decision, or of duty, are condemned a priori to paradox, scandal, and aporia.¹⁰⁸

Paradox, scandal, and aporia are unavoidable in respecting the differences of others. That is why *différance* and undecidability are required in respecting differences of others. While admitting the unavoidable paradox, scandal, and aporia in respecting differences of others, Derridean discourse such as *différance* and undecidability stays mainly in the abstract. That is to say, differences of others are dealt with abstractly rather than concretely. Behind the unavoidable paradox, scandal, and aporia lies Derridean absolute responsibility to the other: “I can respond only to the one (or to the One), that is, to the other, by sacrificing that one to the other.”¹⁰⁹

Theoretically, it is correct that absolute responsibility for one sacrifices my responsibility for the other. Absolute responsibility, however, is impossible in reality. A living human being cannot be absolutely responsible for the other: one is unable to cover the other’s alterity which is infinite. In this vein, his view of differences is abstract, far from concrete.

Walter Mignolo criticizes Derridean *différance* in that it is impossible to reveal colonial differences. Mignolo points out that “a knowing subject was possible beyond the subject of knowledge postulated by the very concept of rationality put in place by modern epistemology.”¹¹⁰ Differences are at best abstract differences recognized by rational subjects. This criticism might advocate Derrida’s position of *différance* and undecidability as he is very careful in deciding what difference is. But, when Mignolo identifies modernity with colonialism, Derrida’s limitation is visible: he reveals insensitivity to a given colonial difference.¹¹¹ On the

¹⁰⁸ Derrida, *The Gift of Death*, 68.

¹⁰⁹ Derrida, *The Gift of Death*, 70.

¹¹⁰ Walter Mignolo, *Local Histories/Global Designs: Coloniality, Subaltern Knowledges, and Border Thinking* (Princeton, N.J.: Princeton University Press, 2000), 60.

¹¹¹ “From my perspective it was natural that modernity and coloniality are two sides of the same coin.... Coloniality is constitutive of modernity”: Mignolo, *Local Histories/Global Designs*, 50.

one hand, the limitation comes from a dissymmetric relationship between a country of colonizing history and one of colonized history. For instance, between French and Arabic, there is a risk of regarding “translating French into Arabic as importation of knowledge and Arabic into French as exportation of an ‘Oriental’ exotic community.”¹¹² In this case, two different knowledges are juxtaposed as if there is no dissymmetry since the two different knowledges are translated. In reality, however, the Arabic knowledge has a dissymmetric relationship with the French knowledge. Such a dissymmetric relationship can be easily ignored when every difference has the same importance.

On the other hand, the limitation of Derridean *différance* arises from Derrida’s view that “[a]ll culture is originally colonial”¹¹³ or that “I resist this movement that tends towards a narcissism of minorities that is developing everywhere.”¹¹⁴ Based on this view, Derridean difference is not concrete enough in that he does not differentiate the culture of colonies from European culture and the survival of minorities from their narcissism. Derrida is correct in saying that every culture has coloniality but he fails to notice the coloniality of the modern/colonial world system, the history of colonialism. Every culture is prone to be colonial, but it neither justifies nor hides the history of Western colonialism which has silenced or trivialized the differences of the colonized. In the same vein, every minority is apt to express narcissistic or egoistic tendencies, but it neither nihilates nor negates the history of discrimination and ostracism of minorities. Derrida is successful in accentuating irreducible differences, but in so doing he is unable to accept colonial differences that have been ignored,

¹¹² Mignolo, *Local Histories/Global Designs*, 74.

¹¹³ Jacques Derrida, *Monolingualism of the Other, or, the Prosthesis of Origin* (Stanford, Calif.: Stanford University Press, 1998), 39.

¹¹⁴ Jacques Derrida and Elisabeth Roudinesco, *For What Tomorrow: A Dialogue*, trans., Jeff Fort (Stanford, Calif.: Stanford University Press, 2004), 21.

neglected, or negated. Without acknowledging, respecting, and promoting colonial differences, others are not able to be themselves where they are present. Only when acknowledging colonial differences and discriminated differences is one “always able to be where one belongs.”¹¹⁵

While an ethics of *différance* tries to respect and protect differences of others, it has limitations in that it deals with differences abstractly and accordingly it shows hesitation in acknowledging and promoting concrete differences such as colonial differences.

1.2.3 An ethics of equality and difference

To overcome limitations of the ethics of *différance*; that is, in order for one to be able to be where one belongs, colonial differences should have priority over hegemonic differences. However, the priority of colonial differences over hegemonic differences has a problem. Since every culture is originally colonial, the priority of colonial differences over hegemonic differences will end up replacing old colonial structures: it is just the reverse of the oppressive structure of the other and the same. This dilemma requests a criterion which prevents the endless violent cycle between the same and the other. Mignolo introduces a double critique to prevent such an endless violent cycle: the double critique is “(1) a decolonizing deconstruction...of Western logo- and ethnocentrism that has been exported all over the planet, and that will complement a postmodern deconstruction a la Derrida or in the form of Foucault’s archaeology or Nietzsche’s genealogy; and (2) a criticism...of the knowledges and discourses produced by the different societies of the [Third] world.”¹¹⁶ That is, the double critique criticizes both hegemonic and colonial differences. Using the double critique one can deconstruct hegemonic differences and also prevent colonial differences from becoming hegemonic. The priority of

¹¹⁵ Mignolo, *Local Histories/Global Designs*, 334.

¹¹⁶ Mignolo, *Local Histories/Global Designs*, 70.

colonial over hegemonic differences based on the double critique is an ethics of equality and differences.

In the ethics of equality and differences, there is a question of the criterion with which one distinguishes colonial from hegemonic differences. At what point does a colonial difference become hegemonic? To what extent is a colonial difference protected and promoted? Mignolo's criterion is that "people and communities have the right to be different precisely because we are all equals."¹¹⁷ Because all human beings are equal, everyone has the right to be different; that is, the right to be herself where she is. Considering his view that the colonized were not able to be themselves where they were, his dictum criticizes both the inequality and ignorance of differences. Differences were not recognized because they were thought to be unequal. For one to be able to be oneself where one is, thus, both difference and equality need to be considered together. A more concrete form of a criterion, presented by Boaventura de Sousa Santos, is the equal priority between "the principle of equality and the principle of respect for difference."¹¹⁸ In the equal priority, the principle of respect for difference should not override the principle of equality; the principle of equality should not overrule the principle of respect for difference. It means that "people have the right to be equal whenever difference makes them inferior, but they also have the right to be different whenever equality jeopardizes their identity."¹¹⁹ The equal priority of two principles means that one principle must "open space for the other principle"¹²⁰ rather than both principles being strictly observed equally.

¹¹⁷ Mignolo, *Local Histories/Global Designs*, 311.

¹¹⁸ Boaventura de Sousa Santos, *The Rise of the Global Left: The World Social Forum and Beyond* (London ; New York: Zed Books, 2006), 119.

¹¹⁹ Boaventura de Sousa Santos, "Human Rights as an Emancipatory Script? Cultural and Political Conditions," in *Another Knowledge Is Possible: Beyond Northern Epistemologies*, ed. Boaventura de Sousa Santos (London ; New York: Verso, 2007), 28.

¹²⁰ Santos, *The Rise of the Global Left*, 119.

1.2.4 An ethics of equality substantially promoting difference

While an ethics of equality and difference provides a boundary within which we can promote both equality and difference of concrete others, it provides only an adumbrative criterion. It is correct that an ethics of equality and difference excludes two cases of interaction between difference and equality: One is the case in which promoting difference leads to inequality; the other is the case in which promoting equality results in negating difference. Within the adumbrative boundary of promoting equality and difference, I propose an ethics of equality substantially promoting difference. It rejects both maximization of difference that leads to inequality and maximization of equality that causes negating difference. Instead, it attempts to find ways in which equality can substantially promote difference of concrete others.

An ethics of equality substantially promoting difference emphasizes the importance of equality in promoting difference. Though acknowledging that there are cases in which promoting equality is detrimental to protecting difference, I contend that equality is essential in promoting difference, specifically, difference of concrete others. For instance, major impediments to the promotion of individual difference are economic destitution, deprivation of equal educational opportunity, and/or a shortage of appropriate medical service. Those who are suffering from economic destitution have no time to spend developing their differences. Those who are without educational opportunity have difficulties in recognizing and developing their differences. Those who are ill tend to squander their fortune on recovering their health to the extent that even their family members sink into desperate poverty, which makes promoting difference impossible. For concrete others, equality is essential for promoting difference.

An ethics of equality substantially promoting difference needs further clarification. What kind of equality is appropriate in substantially promoting difference? What kind of difference is

to be promoted by equality? Equality that substantially promotes difference has two principles: one is the capability principle and the other is the least-gap principle. I will delve into the two principles of equality that substantiates difference in Chapter 3. In terms of difference, there are two kinds of difference: one is group difference and the other is individual difference. I will focus on the two kinds of difference that need to be substantially promoted by equality in the next chapter.

1.3 Conclusion

In this chapter, I have developed the concept of concrete others and an ethics of concrete others with relation to globalization. The concept of concrete others is based on the Levinasian concept of the other in that it accepts the transcendental dimension of others; however, the concept of concrete others is different from the concept of the other because it emphasizes immanent dimensions of human beings and their multiple differences. Because of such emphasis on immanent dimensions of human beings and a globalizing world which makes different vulnerabilities more visible, I contend that the vulnerable need to be framed as concrete others rather than the other. There are different ethics which try to address vulnerabilities of concrete others. An ethics of the multitude betrays its exclusive concern for the economic dimension of the vulnerable while it shows little attention to cultural and political vulnerabilities of others. An ethics of *différance*, although its emphasis is on concrete difference, reveals its limitation in respecting differences of concrete others as it hesitates to acknowledge colonial differences. It also betrays limitations in recognizing and addressing inequality behind diverse differences of the vulnerable. Both ethical approaches can address vulnerabilities of concrete others partially. An ethics of equality and difference, equal priority of equality and difference, can address the

limitations of an ethics of the multitude and an ethics of différence. An ethics of equality and difference, attempts to address the vulnerabilities of others by promoting their differences and equality together. I slightly revise it and propose an ethics of equality substantially promoting difference. I emphasize the importance of equality in promoting difference of concrete others. An ethics of concrete others, which emphasizes both transcendental dimension and immanent dimension of concrete others, promotes both difference and equality of concrete others through equality that is substantially conducive to protection and promotion of difference. In the next chapter, I focus on what differences of concrete others are to be protected and how to promote the differences.

Chapter 2

Difference of Concrete others and Human rights

An ethics of concrete others is an ethics of equality substantially promoting difference. Of the two factors of quality and difference, this chapter deals mainly with difference of concrete others. And the chapter will explore whether liberal multiculturalism is the best way to protect those differences. What differences do concrete others have? There are actually two tiers of differences: one tier involves individual differences; the second involves group differences. The two differences that constitute individual identity are distinguishable but interconnected and interdependent. An ethics of concrete others endeavors to protect and promote both individual difference and group difference through equality by substantially promoting them.

Concrete others are not just individuals. The concept of concrete others does not endorse the view that group identity is easily separable and alienable from an individual. Rather, the concept of concrete others advocates the view that group identity plays a constitutive role in forming individual identity. Individuals cannot have unencumbered identities separated from their groups, since they exist “as members of this family or community or nation or people, as bearers of this history, as sons or daughters of that revolution, as citizens of this republic.”¹ If individuals can voluntarily choose their social attachments, group identity means a secondary identity to individuals, but “social attachments [] more often than not are involuntarily picked up during the course of our upbringing, rational choice having played no role whatsoever.”² In this vein, some of group identities are a primary identity to individuals. Nonetheless, it does not mean

¹ Michael J. Sandel, *Liberalism and the Limits of Justice* (Cambridge Cambridgeshire; New York: Cambridge University Press, 1982), 179.

² Bell, *Communitarianism and Its Critics*, 4.

that every social attachment is ascribed to individuals uncritically. Rather it means that some social attachments are “so fundamental to our identity that they cannot be set aside, and that an attempt to do so will result in serious and perhaps irreparable psychological damage.”³ Thus, group identities are inseparable from individual identities. Protecting concrete others means protecting both their group identity and individual identity.

What kind of human rights can best protect both differences? Individual human rights seem to be sufficient because individual human rights gives the impression that differences can be protected by its civil and political rights and by social, economic, and cultural rights. Group rights, in this sense, appear to be redundant and unnecessary. However, it will become clear that, while individual human rights can protect differences of individuals, they cannot protect group differences of individuals. More exactly, individual human rights protect individual differences through ignoring group differences. Unlike individual rights, group rights endeavors to protect group difference of individuals. However, even while offering protection, the group rights rubric creates a problem of internal minorities, which is the result of promoting group differences by ignoring individual differences among group members. Acknowledging the limitation of group rights, liberal multiculturalism attempts to protect both group difference and individual difference by promoting both equality between groups and freedom within groups. Equality between groups means providing resources in order to promote group differences. Freedom within groups indicates protecting individual difference that can be infringed as group differences are promoted. I will argue that liberal multiculturalism fails to protect individual differences and group differences since it is indifferent to equality within groups; that is, equality substantially promoting individual differences.

³ Bell, *Communitarianism and Its Critics*, 10. In the same vein, Bell also says that “we were deeply bound up in the social world in which we happen to find ourselves.” See Bell, *Communitarianism and Its Critics*, 31.

2.1 Group difference of concrete others

Concrete others have group differences. Every concrete others belongs to a certain family, community, and a nation. Their belonging to these groups gives them an established group identity. A group existing within the territorial boundary of a larger group is called a minority. There are religious minorities, cultural minorities, and ethnic minorities, to name a few. Generally speaking, minorities have experienced domination and oppression by the majority which has disadvantaged those minorities culturally, politically and economically. Minority problems refer to the domination and oppression of minority groups. Minority problems exist owing to group difference of a minority.

There are two types of group difference. One is a dissimilation group difference and the other is an assimilation group difference. A dissimilation group difference occurs in minorities by their own will; that is, by those who “want to preserve their distinctiveness as unique ethnic, cultural, religious, or linguistic communities within the territory of the state but are instead subject to majority campaigns of assimilation.”⁴ An assimilation group difference occurs by force, imposed on those who “want to be incorporated within the majority but are separated from it against their will.”⁵ In such instances, the minority by force has experienced separation and discrimination from the majority. The majority in this case emphasizes different characteristics of the minorities such as race, ethnicity, language, religion or culture in order to perpetuate the separation. In this case, the minority group identity does not assign important meaning to the imposed difference since it is imposed by the majority. In the case of a minority by will, on the other hand, the minority emphasizes its dissimilation group difference, in order not to be

⁴ Jennifer Jackson-Preece, "Human Rights and Cultural Pluralism," in *International Human Rights in the 21st Century: Protecting the Rights of Groups*, ed. Gene Martin Lyons and James Mayall (Lanham: Rowman & Littlefield Publishers, 2003), 55.

⁵ Jackson-Preece, "Human Rights and Cultural Pluralism," 54-55.

assimilated into the majority. By rejecting assimilation into the majority, the dissimilation minority experiences misrecognition, oppression, or ostracism. Although there are two different kinds of group differences, both minorities—by will and by force—experience similar domination and oppression. Nonetheless, the two minorities need different approaches to address minority problems.⁶ Between the two kinds of group differences, I am concerned about dissimilation. One determining factor of the dissimilation group difference is the “will” of a minority group.

The other factor of determining the dissimilation group difference is individual choice. A group difference of minorities by will whose identity is not dependent upon individual choice is a dissimilation group difference. The dissimilation group difference is shaped by group goods and identities that could be beyond an individual choice. A salient example of a dissimilation group difference is that of indigenous people. For instance, Kieran Cronin enlists several group goods and identities that form a dissimilation group difference of indigenous peoples: the land for indigenous peoples, education in social and cultural perspective, religious identity, and a language as “an intergenerational reality.”⁷ In terms of the land, it “is more than a piece of property that can be easily alienated.”⁸ In the same vein, Darlene M. Johnston says that “[Native

⁶ The assimilation group difference can be addressed by assimilation to the majority, while the dissimilation group difference needs group rights. Jackson-Preece explains the two different approaches as follows: “(1) The manipulation of either borders to match peoples or peoples to match borders with a view to creating uniform ethnocultural populations within states, or (2) individual human rights to equality and nondiscrimination with the tacit acceptance of domestic assimilationist measures designed to create homogeneity in culture, language, and values within existing jurisdictions.” As the first case, ethnocultural populations endeavored to have their own states. Their endeavor was asserted through the special group rights. The second way of addressing minority problems is to promote universal individual human rights, or individual nondiscrimination and equality, asking “for existing states to remove any legal or political barriers of individual membership in a minority by guaranteeing equality of civil and political rights to all its citizens regardless of their ethnonational identity in accordance with prevailing liberal practice.” Jackson-Preece, “Human Rights and Cultural Pluralism,” 53-4.

⁷ Kieran Cronin, “Defining ‘Group Rights,’” *Irish Theological Quarterly* 69, no. 2 (2004): 108-12.

⁸ Cronin, “Defining ‘Group Rights,’” 109.

Americans] and land and culture are indissolubly linked,”⁹ referring to the testimony of a Fort McPherson Indian:

It is very clear to me that it is an important and special thing to be an Indian. Being an Indian means being able to understand and live with this world in a very special way. It means living with the land, with the animals, with the birds and fish, as though they were your sisters and brothers. It means saying the land is an old friend and an old friend that your father knew, your grandfather knew, indeed your people always have known...we see our land as much, much more than the white man sees it. To the Indian people our land is really our life. Without our land we cannot – we could no longer exist as people. If our land is destroyed, we too are destroyed. If your people ever take our land, you will be taking our life.¹⁰

The land is inseparable from the native people. The land means more than benefits and personal interests to the individual members of the Native American tribes. It is equated with their life and their very existence. Put differently, the land is inseparably ingrained in members of the tribes. Considering the inseparable relationship between the land and the native people, education is not just for individuals but for the entire tribe who will work toward using and preserving the land in their unique ways. The inseparable relationship among the land, the native people, and their education shapes the dissimilation group difference of the native people.

Religious identity is quite different from voluntary affiliation with a political party or a charity group. Religion has an “architectonic significance” to its believers, “as it co-ordinates and permeates each aspect of culture.”¹¹ Architectonic means that “it rules or has authority over

⁹ Darlene M. Johnston, "Native Rights as Collective Rights: A Question of Group Self-Preservation," in *The Rights of Minority Cultures*, ed. Will Kymlicka (Oxford ; New York: Oxford University Press, 1995), 193-94.

¹⁰ Johnston, "Native Rights as Collective Rights," 194. Johnston recites Thomas R. Berger, "The Persistence of Native Values," in *Ethnicity and Ethnic Relations in Canada: A Book of Readings*, ed. Jay E. Goldstein and Rita M. Bienvenue (Toronto: Butterworths, 1980), 84.

¹¹ Cronin, "Defining 'Group Rights'," 111.

other concerns” in such a way as to make certain concerns the master concerns.¹² For some a religious conversion is a matter of individual choice, for others, whose religious identity has the architectonic significance, it “amounts to...the betrayal of [their] identity.”¹³ Even when some people convert to another religion, their new religious identities give them architectonic significance, so that another conversion is equated with the betrayal of their identities. For many religious people, religion is not a matter of choice but is instead just such an architectonic choice. Specifically, religious identity is crucial for ethnic or national minorities when religious identity is intertwined with their ethnic or national identity.

Language also plays a constitutive role in shaping the dissimilation group difference. With regard to language, as is evident in the case of Native Americans who express their special relationship with land, ancestor, and nature, “each language contains its own unique set of clues to some of the mysteries of human existence.”¹⁴ Richard Blot says, “Language is inescapably a badge of identity.”¹⁵ He contends that “without any connection with language in use” the abstract identity concepts such as ethnicity, gender, class, nation and nationality lose “an extremely important means” by which people shape their identities.¹⁶ While a language is an important sign of a collective identity, a lively discussion continues on the relationship between language and culture. In a world where bilingualism is well established, one language and one culture seems to be inadequate. Languages are innately connected to their cultures: “Specific languages are related to specific cultures and to their attendant cultural identities at the level of doing, at the

¹² Cronin, "Defining 'Group Rights'," 111, no 44. Cronin recites Robert B. Louden, *Morality and Moral Theory: A Reappraisal and Reaffirmation* (New York: Oxford University Press, 1992), 70.

¹³ Cronin, "Defining 'Group Rights'," 112.

¹⁴ Nicholas Evans, *Dying Words: Endangered Languages and What They Have to Tell Us* (Chichester, U.K. ; Malden, MA: Wiley-Blackwell, 2010).

¹⁵ Richard K. Blot, *Language and Social Identity* (Westport, Conn.: Praeger, 2003), 3.

¹⁶ Blot, *Language and Social Identity*, 7.

level of knowing and at the level of being.”¹⁷ The United Nations Permanent Forum on Indigenous Issues (UNPFII) emphasizes the importance of saving indigenous languages: Protecting indigenous languages “is a matter of great urgency and is crucial to ensuring the protection of the cultural identity and dignity of indigenous peoples and safeguarding their traditional heritage.”¹⁸ According to the UNPFII, more specific reasons to protect indigenous languages are these:

As a result of linguistic erosion, much of the encyclopedia of traditional indigenous knowledge that is usually passed down orally from generation to generation is in danger of being lost forever. This loss is irreplaceable and irreparable.

Customary laws of indigenous communities are often set out in their languages, and if the language is lost the community may not fully understand its laws and system of governance that foster its future survival.

The loss of indigenous languages signifies not only the loss of traditional knowledge but also the loss of cultural diversity, undermining the identity and spirituality of the community and the individual.

Biological, linguistic and cultural diversity are inseparable and mutually reinforcing, so when an indigenous language is lost, so too is traditional knowledge on how to maintain the world’s biological diversity and address climate change and other environmental challenges.¹⁹

This demonstrates the constitutive role languages play in shaping customary laws and cultures of indigenous people. For indigenous peoples, then, their language and culture are so closely connected that their group identity cannot be reduced to a matter of individual choice.

¹⁷ Joshua A. Fishman, *Can Threatened Languages Be Saved? Reversing Language Shift, Revisited: A 21st Century Perspective* (Clevedon England ; Buffalo: Multilingual Matters, 2001), 3.

¹⁸ UNPFII, "Fact Sheet: Indigenous Languages," *7th Session of the Permanent Forum on Indigenous Issues* (May 2008). http://www.un.org/esa/socdev/unpfii/documents/Factsheet_languages_FINAL.pdf (accessed October 3, 2011).

¹⁹ UNPFII, "Fact Sheet: Indigenous Languages."

As with indigenous peoples, those who are minorities by will such as national minorities, some immigrant groups, refugees, or guest workers have the dissimilation group difference. The dissimilation group difference should be protected as long as the group members endeavor to preserve it. Even when minorities by force want to become assimilated into their majority culture, if their culture and language are endangered, the culture and language should be protected for linguistic and cultural diversity. Identifying the endangered group difference as an exceptional case, however, I will focus on how to protect the dissimilation group difference.

2.2 Group rights and individual rights for group difference

There are two ways in dealing with the dissimilation group difference of minorities. One is the assimilation solution through universal human rights and the other is the dissimilation solution through special group rights. The dissimilation solution has been proposed by the League of Nations, though it failed to implement minority rights and powerful states persisted in abusing minority rights. The League of Nations actually instituted “minority rights law on the international level.”²⁰ It stipulated provisions such as the free exercise of religion, the free use of language, equal treatment and security of minorities, and education through one’s own language.²¹ Although stipulating the guarantee of minority rights, the League of Nations was

²⁰ Steven C. Roach, *Cultural Autonomy, Minority Rights, and Globalization* (Aldershot, Hampshire, England ; Burlington, VT: Ashgate, 2005), 14.

²¹ Denys P. Myers, *Handbook of the League of Nations since 1920* (Boston: World Peace Foundation Publications, 1930), 210-11.

Some of the essential provisions are these:

All inhabitants...will be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

No restriction will be imposed on the free use by any national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind or at public meetings.

.....

Provisions will be made in the public educational system...for adequate facilities for insuring that in the primary schools instruction shall be given to the children of such nationals through the medium of their

unable to protect them. On the one hand, it sided with state authorities rather than minority groups.²² On the other hand, when minorities wanted to protect their group rights through the League of Nations, individual states “did not necessarily recognize the existence of their minorities.”²³ Though there was the stipulated minority rights law, the League of Nations was unable to challenge state sovereignty that either denied rights of minority groups or ignored the existence of its minority groups.²⁴ While some failed cases of respecting minority rights occurred, there were more dangerous cases of asserting minority rights by some sovereign states. For instance, minority rights allowed Hitler “to exploit the perception that all foreign German nationals should be treated with equal respect,” which resulted in his annexing neighboring states.²⁵ The special group rights gave justification for him to occupy adjacent states. For another instance of abuse, Japan invaded Manchuria in 1931 “on the grounds that the Japanese foreign

own language; it being understood that the teaching of the official language [may be] made obligatory in the said schools.

Minorities will be assured an equitable share in the enjoyment and application of public funds for educational, religious or charitable purposes.

The stipulations affecting persons belonging to racial, religious or linguistic minorities are declared to constitute obligations of international concern and are placed under the guaranty of the League.

²² For instance, the League of Nations sided with the Hungarian state authorities facing “the question of fair and equal treatment of the Jewish minority in Hungary.” The Jewish minority in Hungary asked fair and equal treatment in university matriculation, but the League of Nations upheld the Hungarian state authority’s discrimination laws. The rationale behind this discrimination was the view that “the number of students enrolled at universities should be proportional to the number of inhabitants in the country.” Roach, *Cultural Autonomy, Minority Rights, and Globalization*, 16.

²³ Joseph Pestieau, “Minority Rights: Caught between Individual Rights and People’s Rights,” *Canadian Journal of Law and Jurisprudence* IV, no. 2 (July 1991): 363.

²⁴ There were some cases which respected special group rights and attempted to create uniform ethnocultural populations within states by “population transfers and boundary revisions” such as “minority exchanges between Greece and Turkey,” exchanges “between Greece and Bulgaria,” and “the transfer of ethnic Germans back to Germany from across Central and Eastern Europe,” or by “border revision.” These attempts failed because it required considerable resources and forces to move individuals of minority groups into the states in which they were not minority and because it brought about suffering hardly bearable to the minority individual migrants who had to leave their accustomed place and settle in an unfamiliar place. See Jackson-Preece, “Human Rights and Cultural Pluralism,” 54.

²⁵ Roach, *Cultural Autonomy, Minority Rights, and Globalization*, 18. See also Will Kymlicka, *Multicultural Odysseys: Navigating the New International Politics of Diversity* (Oxford; New York: Oxford University Press, 2009), 29. “Nazi Germany justified its invasion of Poland and Czechoslovakia on the grounds that these countries were violating the treaty rights of ethnic Germans on their soil.”

nationals possessed the right to be free from oppression in a foreign land.”²⁶ The idea of special group rights was thus thought to be destabilizing international stability. From the perspective of the invaded states that contained minority groups, the claim of special group rights was a threat to their state security.

Because of the difficulty and the danger in promoting special group rights, universal individual human rights became the norm of the international system as the United Nations accepted the Universal Declaration of Human Rights (UDHR). Since special group rights had the effect of destabilizing states within and without, the states that created the United Nations, were “deeply suspicious of would-be rival claimants to their authority, territory, or population.”²⁷

Through the postwar movement that promoted universal individual human rights rather than special group rights, assimilation is the only way for individuals in minority groups to protect themselves, though they may lose their collective identities. With the replacement of the idea of universal individual human rights, ethnic minorities lose their support for cultural and political protection. In the same vein, Kymlicka contends that individual human rights are not just “an alternative means of protecting minority” but are also a reflection of “a desire to control and disempower minority” since “it protected the members of minority groups as individuals, but did not protect their institutions, and so disempowered them as collective actors.”²⁸ With universal individual human rights replacing minority rights, Kymlicka says, states were able “to centralize all political and legal power in forums dominated by the majority group” by eliminating the pre-existing local autonomy of minority groups, “to privilege that group’s language and culture in all public institutions, which are then diffused throughout the territory of

²⁶ Roach, *Cultural Autonomy, Minority Rights, and Globalization*, 18.

²⁷ Jackson-Preece, "Human Rights and Cultural Pluralism," 56.

²⁸ Kymlicka, *Multicultural Odysseys*, 30.

the state[,] and to make minority language and culture invisible in public space.”²⁹ In the name of universal individual human rights, states began to neglect the language and culture of their minority groups.³⁰ In the process of assimilation, minority members have been involuntarily assimilated in the majority culture and language.³¹ The majority rule deprives minority individuals of their group identities. He thus concludes that assimilation based on universal individual human rights “has been the creation of multiple and deeply rooted forms of exclusion and subordination for minorities, often combining political marginalization, economic disadvantage, and cultural domination.”³² The universal individual human rights “had successfully contested formal state discrimination but were unable to effectively remedy the lingering social, economic, political and cultural effects of historic hierarchies.”³³ Because of assimilation, individuals of minorities under universal individual human rights still have been experiencing infringement of their dissimilation difference.

Quite differently from Kymlicka, Jack Donnelly contends that if individual human rights are implemented well, the idea of special group rights is redundant and unnecessary. Donnelly first of all denies the existence of the special group rights. He refers to the Article 27 of the International Covenant on Civil and Political Rights (ICCPR): “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to

²⁹ Kymlicka, *Multicultural Odysseys*, 63.

³⁰ Kymlicka also mentions other reasons why assimilation, that is, denigration of minority language and culture, was justified. It is claimed that assimilation can effectively defeat external and internal enemies, build the civic solidarity needed for a welfare state, and administer labor market easily and efficiently. Kymlicka, *Multicultural Odysseys*, 64-65.

³¹ It is also evident that there are minorities who are voluntarily assimilated into majority language and culture. However, I am focusing on minorities who are forced into assimilation.

³² Kymlicka, *Multicultural Odysseys*, 65.

³³ Will Kymlicka, "Review Symposium: Reply," *Ethnicities* 8, no. 2 (June 2008): 280.

profess and practice their own religion, or to use their own language.”³⁴ Donnelly points out that in Article 27 individual members of minorities, not minorities as a group, have these rights. In his view, the rights stipulated in the Article 27 belong only to individuals. Kymlicka acknowledges that the Article 27 “can be seen as essentially an anti-discrimination provision” in such a way to “prohibit discrimination in civil liberties on the basis of race or ethnicity.”³⁵ Donnelly thus contends that “a liberal individual rights” approach can address “the sufferings of members of despised, oppressed, or disadvantaged groups.”³⁶ He further asserts that individual human rights can replace group rights with the principle of nondiscrimination, freedom of association, and guaranteed participation.

Donnelly contends that the principle of nondiscrimination ensures members of the minority groups equal rights enjoyed by members of the majority group. Nondiscrimination stipulates that “[e]ach individual, irrespective of race, gender, religion, or any other group affiliation, should be treated equally.”³⁷ According to the principle of nondiscrimination, individuals have the same rights without regard to their different identities and classes: Whether an individual is a person of the North or the South, a male or female, a religious fundamentalist or a religious reformist, a poor or a rich person, or a liberalist or a socialist, everyone has the same rights without discrimination. He enlists three requirements of nondiscrimination: toleration, equal protection, and multiculturalism. Toleration means not “impos[ing] special

³⁴ Jack Donnelly, "In Defense of the Universal Declaration Model," in *International Human Rights in the 21st Century: Protecting the Rights of Groups*, ed. Gene Martin Lyons and James Mayall (Lanham: Rowman & Littlefield Publishers, 2003), 21.

³⁵ Kymlicka, *Multicultural Odysseys*, 35. However, Kymlicka mentions its different interpretation, referring to the General Comment on Article 27 by the UN's Human Rights Committee in 1994. “[I]t argued that the Article not only imposes a duty of nondiscrimination in the protection of civil liberties, but also may require adopting ‘positive measures’ to enable and accommodate the minority’s exercise of this rights to enjoy their culture.”

³⁶ Donnelly, "In Defense of the Universal Declaration Model," 29. Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd ed. (Ithaca: Cornell University Press, 2003), 205.

³⁷ Donnelly, "In Defense of the Universal Declaration Model," 29.

burdens on (members of) despised groups” by either disapproving a group related behavior or disqualifying individuals based on their group membership.³⁸ Toleration breaks down the barriers between individuals of the majority group and individuals of minority groups.

However, toleration has a shortcoming. When individuals of despised groups are tolerated, it does not mean that they are accepted. That is to say, the minority can coexist with individuals of the majority, but they are not yet allowed to enjoy the same goods or services provided to the majority. Toleration thus needs equal protection. Equal protection ensures members of the minority enjoying the rights that they formerly held and the rights that members of the majority take for granted: “At minimum...members of disadvantaged or despised groups... are not excluded from goods, services, and opportunities that would be available to them were they not members of despised or disadvantaged groups....In its stronger forms – affirmative action and even certain kinds of reverse discrimination – equal protection seeks to assure that members of targeted groups achieve full legal and political incorporation into society.”³⁹ With equal protection, members of the minority are able to enjoy the equal rights that had been given only to members of the majority. But equal protection has a limitation. While it provides equal protection to members of the minority, it opens a way for members of the majority to regard members of the minority as the underdeveloped or the backward, instead of acknowledging and encouraging their uniqueness or differences. Equal protection thus needs to be supplemented by multiculturalism, which “positively values diversity, implying policies that recognize, celebrate, preserve, or foster group differences.”⁴⁰ In his view, the individual human rights through the principle of nondiscrimination stipulated as toleration, equal protection, and

³⁸ Donnelly, "In Defense of the Universal Declaration Model," 30.

³⁹ Donnelly, "In Defense of the Universal Declaration Model," 30.

⁴⁰ Donnelly, "In Defense of the Universal Declaration Model," 30.

multiculturalism thus guarantees that members of the minority groups have equal rights without recourse to group rights.

Donnelly, however, points out that the nondiscrimination principle cannot fully address systematic discrimination. He thus adds freedom of association and guaranteed participation to complement what the principle of nondiscrimination cannot provide to the members of the minority group. Whereas the principle of nondiscrimination provides equal rights to members of the minority group, it does not support collective action for challenging systematic discrimination. He thinks that freedom of association and guaranteed participation enable the minorities to challenge the systematic inequality as they ensure the minorities' collective action. In collective action, freedom of association and guaranteed participation do not force individuals to participate. Rather, they respect autonomy of individuals. It is an individual's autonomous decision whether or not to participate in the collective action. Emphasizing autonomy of individuals, however, he regards individual group identities as a matter of individual choice. Donnelly also acknowledges the limitation in freedom of association: ignorance of group identity imposed on individuals. He thus admits that there exist externally imposed group identities; but he still emphasizes the importance of freedom of association. In his thinking, individual autonomy can overcome such an imposed group identity since group identities are social constructs. In addition, freedom of association helps members of despised minorities "act collectively to realize their interests or protect their rights" as it encourages other people to join the struggle.⁴¹ For Donnelly, the idea of universal individual human rights, with freedom of association, guaranteed participation, and the principle of nondiscrimination, suffices for protecting rights of minority members.

⁴¹ Donnelly, *Universal Human Rights in Theory and Practice*, 208.

While I accept that universal individual human rights through freedom of association and nondiscrimination can address many problems of minority group members, insoluble problems of minorities still remain. Those problems are more easily seen when we consider minority groups that want to preserve their own identities. Specifically, Donnelly's individual human rights solution is insufficient for minorities who claim their external or internal self-determination. Put differently, individual human rights are a workable solution to minorities by force but are inefficacious to minorities by will. The problem of minorities by will only reveals that universal individual human rights is a "difference-blind human rights," devoid of "minority-specific provisions."⁴²

2.3 Liberal multiculturalism: equality between groups and freedom within groups

Considering limitations of special group rights and universal individual human rights in promoting both individual differences and group differences, Kymlicka proposes liberal multiculturalism as offering a liberal understanding of group rights. I will first identify what liberal multiculturalism is and then engage in a discussion with it. As I have shown, individual rights cannot promote the dissimilation group difference, but at the same time group rights could be detrimental to individual difference. Liberal multiculturalism endeavors to address the problem of internal minorities as well as the problem of inequality between groups, through incorporating both individual rights and group rights in a balanced way:

Liberal multiculturalism is the view that states should not only uphold the familiar set of common civil, political, and social rights of citizenship that are protected in all constitutional liberal democracies, but also adopt various group-specific rights or

⁴² Kymlicka, *Multicultural Odysseys*, 36.

policies that are intended to recognize and accommodate the distinctive identities and aspirations of ethnocultural groups.⁴³

Like universal individual human rights, liberal multiculturalism is concerned about the rights of individual members in a group. Unlike universal individual human rights, liberal multiculturalism addresses “highly group-differentiated” and “highly targeted” group rights: it “guarantees certain generic minority rights to all ethnocultural groups, but it also elaborates a number of targeted categories of minority rights.”⁴⁴ Because it addresses highly targeted group rights, it does not say that “‘all minorities have a right to X’ or ‘all persons belonging to minorities have a right to X’”; instead, different minorities have different types of minority rights.⁴⁵ Kymlicka categorizes minority rights into three types: indigenous people, national minorities, and immigrant groups. He assigns these three groups different group rights. For instance, national minorities are assigned at least generic rights whereas indigenous people have particular rights, which include “the promise of rights to land, control over natural resources, political self-government, language rights, and legal pluralism.”⁴⁶ Thus, liberal multiculturalism not only promotes “symbolic recognition or identity politics” of minorities but “also addresses issues of power and resources” in such a way that national minorities and indigenous peoples

⁴³ Kymlicka, *Multicultural Odysseys*, 61. Will Kymlicka, *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship* (Oxford, UK New York: Oxford University Press, 2001), 42.

⁴⁴ Kymlicka, *Multicultural Odysseys*, 77.

⁴⁵ Kymlicka, *Multicultural Odysseys*, 79.

⁴⁶ Kymlicka, *Multicultural Odysseys*, 284. Generic rights in Article 27 of the ICCPR is this: “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.” See Kymlicka, *Multicultural Odysseys*, 34. In the case of immigrant groups, Kymlicka mentions that they do not request “devolution or federalization of state power to minority-controlled political units,” while a certain type of policies “can enhance access to state power, public services, and economic opportunities.” See Kymlicka, *Multicultural Odysseys*, 80.

have their self-government.⁴⁷ It shows that liberal multiculturalism is concerned about the equality between groups.

Liberal multiculturalism is also concerned about the internal minority problem. In that matter, liberal multiculturalism requires liberal constitutionalism. That is to say, minorities can “challenge their historic exclusion and subordination,” but they should respect common standards of civil, political, and social rights of citizens, which on the one hand do not allow them “to contest their subordinate status vis-à-vis the dominant group while still hoping to maintain their own dominance over women, religious minorities, migrants, lower caste groups, and so on” and which on the other hand assure the dominant group “that they won’t be stripped of their citizenship, or subject to ethnic cleansing, or jailed without a fair trial, or denied their rights to free speech, association, and worship.”⁴⁸ Liberal multiculturalism thus “legitimizes the claims of historically disadvantaged minorities, yet reassures members of the dominant group that no matter how debates over minority rights are resolved, basic rights will be protected.”⁴⁹

Kymlicka emphasizes two important principles of liberal multiculturalism: they are “the twin ideas of ‘equality between groups’ and ‘freedom within groups.’”⁵⁰ Kymlicka explains the double protection using the terms, inter-group equality and individual freedom.⁵¹ In his book, *Multicultural Citizenship*, Kymlicka identifies inter-group equality with external protections, and individual freedom with the removal of internal restrictions. Internal restrictions happen when a

⁴⁷ Kymlicka, *Multicultural Odysseys*, 80.

⁴⁸ Kymlicka, *Multicultural Odysseys*, 93, 95.

⁴⁹ Kymlicka, *Multicultural Odysseys*, 96. Sarah Song contends that minority groups should protect the basic rights of individual members. In light of her emphasis on the basic rights, she is in line with Kymlicka. “I take basic rights to include those rights and liberties that have come to be associated with liberal democratic citizenship: freedoms of conscience, expression, and association, and the rights to participate in the exercise of collective power to which one is subject.” See Sarah Song, *Justice, Gender, and the Politics of Multiculturalism* (Cambridge ; New York: Cambridge University Press, 2007), 47.

⁵⁰ Kymlicka, *Multicultural Odysseys*, 137.

⁵¹ Kymlicka, *Multicultural Odysseys*, 138.

minority group “may seek the use of state power to restrict the liberty of its own members in the name of group solidarity.”⁵² External Protections denote that a minority group “may seek to protect its distinct existence and identity by limiting the impact of the decisions of the larger society.”⁵³ Through endorsing external protections, liberal multiculturalism tries to “promote fairness between groups.”⁵⁴ In rejecting internal restrictions, on the other hand, it tries to “revise traditional authorities and practices.”⁵⁵ While emphasizing that liberal multiculturalism supports external protections but disallows internal restrictions, Kymlicka admits that it is not easy to draw a fine line between external protections and internal restrictions. Put differently, supporting external protection can lead to internal restrictions. While admitting cases such as “group-label laws” and “indigenous land rights” in which external protections justify internal restrictions, Kymlicka does not endorse external protections that justify internal restrictions.⁵⁶ In his thinking, external protections should be given with the proviso that internal restrictions are minimized. Kymlicka further contends that “the very reasons we have to support external protections are also reasons to oppose internal restrictions.”⁵⁷ In other words, “minority rights are not only consistent with individual freedom, but can actually promote it.”⁵⁸ To prove his argument, he has recourse to his understanding of culture.

When it comes to culture, instead of the traditionalist understanding of culture, Kymlicka adopts a transformational understanding of culture. Kymlicka regards cultural hybridity as “the normal state of human affairs,” acknowledges plurality of cultures within a given group, accepts

⁵² Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford, New York: Clarendon Press; Oxford University Press, 1995), 36.

⁵³ Kymlicka, *Multicultural Citizenship*, 36.

⁵⁴ Kymlicka, *Multicultural Citizenship*, 37.

⁵⁵ Kymlicka, *Multicultural Citizenship*, 37.

⁵⁶ Kymlicka, *Multicultural Citizenship*, 43-44.

⁵⁷ Kymlicka, *Multicultural Citizenship*, 44.

⁵⁸ Kymlicka, *Multicultural Citizenship*, 75.

coexistence between “support for a right to cultural preservation [and] support for universal human rights,” and renders cultural identity claims as negotiable.⁵⁹ That is to say, his view of culture rejects the essentialization of culture, includes many subcultures, is compatible with universal individual human rights, and does not impose fixed identity on its individual members. This transformational understanding of culture enables liberal multiculturalism to promote both equality between groups and freedom within groups. For him, culture is societal,

that is, a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres. These cultures tend to be territorially concentrated, and based on a shared language.⁶⁰

According to Kymlicka, societal culture assures the fundamental freedom of its members. The societal culture “grants people a very wide freedom of choice in terms of how they lead their lives. It allows people to choose a conception of the good life, and then allows them to reconsider that decision, and adopt a new and hopefully better plan of life.”⁶¹ The societal culture provides its individual members freedom of choice among various options for a good life.⁶² Thus, culture is valuable not because of itself, but because of its provision of a range of meaningful options to individual members.⁶³ This is why group differentiated rights are necessary: “For meaningful individual choice to be possible, individuals need not only access to information, the capacity to reflectively evaluate it, and freedom of expression and association. They also need

⁵⁹ Kymlicka, *Multicultural Odysseys*, 100-02.

⁶⁰ Kymlicka, *Multicultural Citizenship*, 76.

⁶¹ Kymlicka, *Multicultural Citizenship*, 80.

⁶² Will Kymlicka, *Liberalism, Community, and Culture* (New York: Oxford University Press, 1989), 172.

⁶³ Kymlicka, *Multicultural Citizenship*, 83.

access to a societal culture.”⁶⁴ Individuals have the ability to make a choice but what provides a context of choice is a culture.

While culture provides a context of choice, it also changes, since cultural hybridity is “the normal state of human affairs.”⁶⁵ If a culture changes and at the same time provides a context of choice, two questions arise. With relation to group rights, why should culture be protected? If it is in the nature of culture to change, there seems to be no need to protect it. The second question is about the relationship between a culture and its individual members. Is a changing culture able to provide group identity to its individual members? Put differently, is the relationship between a changing culture and individual members thick enough to justify group rights? Kymlicka notices these possible questions. He tries to address them by distinguishing between the existence of culture and the character of culture. “The character of a culture can change dramatically,” but the existence of a culture does not change easily.⁶⁶ Considering cultural hybridity, the existence of a culture needs more explanation. Kymlicka admits that a culture is influenced by a variety of disparate cultural sources. But such influences do not negate the existence of a culture:

It is often possible to trace the path by which our culture incorporates the cultural materials of other nations. The work of other cultures may become available to us through translation, or through the influx of immigrants who bring certain cultural narratives with them as they integrate. That we learn in this way from other cultures, or that we borrow words from other languages, does not mean that we do not still belong to separate societal cultures, or speak different languages.⁶⁷

While a culture continuously interacts with other cultures, it has its own existence, even when it is in the process of its shaping. Such understanding of the existence of culture has been criticized

⁶⁴ Kymlicka, *Multicultural Citizenship*, 84.

⁶⁵ Kymlicka, *Multicultural Odysseys*, 101.

⁶⁶ Kymlicka, *Multicultural Citizenship*, 104.

⁶⁷ Kymlicka, *Multicultural Citizenship*, 103.

by many theorists. First of all, Benhabib challenges Kymlicka's view of culture, denying a single culture:

Any complex human society, at any point in time, is composed of multiple material and symbolic practices with a history. This history is the sedimented repository of struggles for power, symbolization, and signification – in short, for cultural and political hegemony carried out among groups, classes, and genders. There is never a single culture, one coherent system of beliefs, significations, symbolizations, and practices, that would extend “across the full range of human activities.” I am arguing that there cannot be such a single principle of societal culture, and also that at any point in time there are competing collective narratives and significations that range across institutions and form the dialogue of cultures.⁶⁸

For Benhabib, no human society has a single culture but instead has many cultures existing through conflicts and dialogues. She thus accuses Kymlicka's view of culture as culturalist essentialism.

However, I do not think that Kymlicka essentializes culture. His view that a society has its representative culture is, in my opinion, far from essentializing culture. While Benhabib denies the existence of a single culture, her view of an individual identity opens a way to the possibility for a society to have a representative culture. When it comes to the identity of individuals, Benhabib contends that although human beings are thrown into “the macronarratives of collective identity,” we have “our capacity to weave out of those narratives our individual life stories, which make sense for us as unique selves.”⁶⁹ For Benhabib, individuality, as the dialogic and narrative constitution of self, is “the unique and fragile achievement of selves in weaving together conflicting narratives and allegiances into a unique life history.”⁷⁰ Benhabib accepts that

⁶⁸ Seyla Benhabib, *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton, N.J.: Princeton University Press, 2002), 60.

⁶⁹ Benhabib, *The Claims of Culture*, 15.

⁷⁰ Benhabib, *The Claims of Culture*, 16.

an individual has a self although he is in the process of constituting himself in a dialogical way. Put differently, an individual like a human society is exposed to many conflicting cultures with which one can have a dialogical relationship for constituting one's own self. Sometimes, an individual has difficulty in identifying herself since she contains conflicting cultural claims within herself. But, it does not mean that she does not exist or that she does not have her own identity. In the same way, the existence of many conflicting cultures in a society does not deny the existence of a representative culture for the society. As an individual has her identity in the midst of her identity making, a society can have a representative culture in its endless process of interaction with other cultures. A represented culture is a snapshot of a culture interacting with other cultures within and without. If Kymlicka says that the snapshot of a changing culture is *the* culture of a society, it is an essentialization of a culture. However, Kymlicka did not adopt a view of culture that is unchanging, essential, or singular.

The existence of a culture, in a different vein, can also be justified by Benhabib's claim of the possibility of shared plausible and comprehensible evaluation beyond culture. While criticizing cultural relativism, Benhabib contends that beyond the dichotomy of "us and them" there are those who can share "plausible and comprehensible" evaluations.⁷¹ This view allows a commonality that people can share beyond their culture-based particular understanding of evaluations. If she asserts that there can be common threads beyond cultures, there can be common threads among many cultures within a given society. Put differently, within a society people can share "plausible and comprehensible" evaluations. In reality, without the possibility of shared plausible and comprehensible evaluations within a culture, there will be no shared plausible and comprehensible evaluation beyond a culture. If we can admit the possibility of the

⁷¹ Benhabib, *The Claims of Culture*, 42.

common or shared evaluations within a society, there can be the existence of a representative culture in a society.

Patchen Markell criticizes the existence of a culture, pointing out the danger of separating the existence of a culture from its character. Markell says, “the ‘character’ of the culture, where people live and act, can be represented as a site of freewheeling autonomy, while all the work of differentiation and identification can be magically performed by some mysteriously separate property called the ‘existence’ of the culture, which, just by virtue of its separateness from the culture’s character, would seem to pose no threat to the autonomy of the culture’s members.”⁷² That is to say, Kymlicka neatly separates culture into an identity provider and an autonomy provider. According to Markell, however, “culture somehow exists in and through its character” and thereby without the character, “the ‘existence’ of distinct cultures loses its connection to human agency.”⁷³ In his view, the separation between the existence and character of culture is denial of culture itself: Kymlicka’s culture based on the separation of the inseparable is unsustainable. What is problematic in the separation, Markell points out, is Kymlicka’s regression to the thick, ethnographic sense of culture.⁷⁴ The thick, ethnographic sense of culture means a culture in which people share “specific folk-customs, habits, and rituals” while the thin sense of culture “focuses on a common language and societal institutions.”⁷⁵ As Kymlicka emphasizes the existence of a culture, in Markell’s view, the thin sense of culture comes to be replaced by the thick, ethnographic sense of culture. Kymlicka’s view then “locate[s] politics of culture *outside* of culture.”⁷⁶ In other words, injustice within a culture finds problems in ill-

⁷² Patchen Markell, *Bound by Recognition* (Princeton, N.J.: Princeton University Press, 2003), 160.

⁷³ Markell, *Bound by Recognition*, 161.

⁷⁴ Markell, *Bound by Recognition*, 169.

⁷⁵ Kymlicka, *Politics in the Vernacular*, 25 n 18.

⁷⁶ Markell, *Bound by Recognition*, 171.

recognition or non-recognition of the culture. Such understanding of culture is “framing issues of justice and injustice in culture in terms of multicultural recognition.”⁷⁷ Framing justice in terms of culture “risk[s] overlooking...some of the deeper relations of power and forms of subordination that underlie the very injustices they are meant to combat.”⁷⁸ What Markell points out is injustice imposed upon individuals. He gives an example of the French headscarves affair. He points out “the relative absence of the voices of the girls” while it raised “power, racial, patriarchal, colonial, and religious” issues, which “do not determine the lives of North African immigrant women in France.”⁷⁹ For Markell, cultural issues hide individual injustice. Put differently, the separation of the existence and the character in a culture conceals individual injustice in the group.

Markell indicates that Kymlicka’s liberal multiculturalism is effective in promoting equality between groups but is detrimental to freedom within groups. For Markell, furthermore, culture is the source of injustice. As he admits, however, injustices are imbricated in the case. In the case of the French headscarves affair, the injustice issues cannot be separated from the cultural identities of the girls. They belong to North African immigrants, patriarchal society, colonial situation, and the religious community. Seeing injustice in the culture itself, however, Markell emphasizes the separation between culture and individual, while pointing out that it is wrong for Kymlicka to separate existence of culture from its character. But Markell’s separation is not persuasive. Surely, the girls were discriminated against not by their individual existence but by their cultural practices. Without cultural differences there would not have been such

⁷⁷ Markell, *Bound by Recognition*, 171.

⁷⁸ Markell, *Bound by Recognition*, 171.

⁷⁹ Markell, *Bound by Recognition*, 172.

injustice. It does not mean, however, that throwing off their cultural identity is the only option for the girls to have justice.

I think he is confusing different kinds of injustice: injustice from outside and injustice from inside. His view can address injustice from inside but not the injustice from outside. In addition, according to Kymlicka, without addressing the injustice from outside injustice from inside is meaningless. The culture that Kymlicka espouses is not a thick culture but a thin one. With a thin culture that “does not preclude differences in religion, personal values, family relationship, or lifestyle choices” the injustice from outside can be addressed.⁸⁰ In addition, since the culture is shaped by people who “decide what is best from within their own culture, and [] integrate into their culture whatever they find admirable in other cultures” individual members are able to have their culture that provides a context of choice.⁸¹

Sarah Song also criticizes Kymlicka’s separation between the existence of culture and its character, contending that the separation makes unnecessary his liberal multiculturalism. For Kymlicka, culture “provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life.”⁸² In providing meaningful ways of life, Song indicates, culture cannot exist without its character such as cultural norms and practices. She contends that group rights then have “the danger of freezing cultures in time and space.”⁸³ As soon as a culture is frozen in time and space, the separation between the existence of culture and its characters is nullified. What is worse, when culture is frozen, it excludes those who subscribe to subcultures other than the frozen one; that is, the internal minority problem. She thinks that one way to avoid this dilemma is to identify culture

⁸⁰ Will Kymlicka, *States, Nations, and Cultures* (Assen: Van Gorcum, 1997), 24.

⁸¹ Kymlicka, *Multicultural Citizenship*, 104-05.

⁸² Kymlicka, *Multicultural Citizenship*, 76.

⁸³ Song, *Justice, Gender, and the Politics of Multiculturalism*, 26.

with its community. Separating existence of culture from its character opens a way for the identification between a culture and its community. As a context of choice without specific characters, culture becomes “whatever we already do or believe at any given time.”⁸⁴ Since culture is a context of choice, protecting culture means protecting those who have the culture that provides a context of choice. It leads to the identification of the existence of culture with the existence of the cultural community. Such identification of culture and community leads to the following simple conclusion:

If a cultural structure is nothing more than the existence of a cultural community, then it seems that threats to its survival would be threats to the survival of persons who are members of the cultural community, and this threat could be addressed by liberalism’s commitment to protecting the basic rights and liberties of individual persons without any reference to the value of cultures.⁸⁵

For her, a practice-free culture as a context of choice is fully compatible with individual human rights. As long as a culture is identified with its members, there is no need of group rights. But, for Kymlicka, culture is more than a context of choice without contents. Culture provides its individual members with a valuable identity: “most people, most of the time, have a deep bond to their own culture.”⁸⁶ For Kymlicka, cultural identity is crucial for individual’s self-identity. He compares identity of belonging and identity of accomplishment. While Song seems to regard a culture as a context of achievement, Kymlicka regards it as a ground of belonging: “Although accomplishments play their role in people’s sense of their own identity, it would seem that at the most fundamental level our sense of our own identity depends on criteria of belonging rather

⁸⁴ Song, *Justice, Gender, and the Politics of Multiculturalism*, 25.

⁸⁵ Song, *Justice, Gender, and the Politics of Multiculturalism*, 25.

⁸⁶ Kymlicka, *Multicultural Citizenship*, 90.

than on those of accomplishment.”⁸⁷ The existence of a culture provides individuals with not only a context of choice but also a sense of identity and belonging.

Kymlicka’s emphasis on the existence of culture as an identity provider reveals his sensitivity to colonialism. While accepting that people have bonds to groups, Song questions why among many groups it is the cultural group that has priority: “[P]eople have bonds to smaller, larger, and cross-cutting communities, and it’s not clear why any one particular community should take priority above the others.”⁸⁸ She mentions that people in general have multiple identities rather than having “strong attachments to cultural identity.”⁸⁹ For instance, she indicates that many ethnic white Americans show “middle-class American values, such as valuing family, education, and patriotism.”⁹⁰ Thus, Song refuses the view “that posits a single value to cultural membership as a matter of general theory.”⁹¹ She goes on to say: “Today, due in part to interactions through the global economy, transnational communications networks, and the increasing migrations of peoples across borders, people in many parts of the world live in multicultural contexts and possess multiple identities.”⁹² Because people have multiple identities with different intensities, she says that the priority of cultural group is not granted. I will agree with her that people have multiple identities and there are many group identities to which different people attach different values. But, I will argue that her example is too selective. For instance, her ground is based on the study of ethnic white Americans. They are hardly representatives of diverse ethnic minorities. In addition, in a globalizing world, those who have multiple identities are usually those who have the relative luxury of global communications and

⁸⁷ Kymlicka, *Multicultural Citizenship*, 89. Reciting Avishai Margalit and Joseph Raz, "National Self-Determination," *Journal of Philosophy* 87, no. 9 (1990): 447.

⁸⁸ Song, *Justice, Gender, and the Politics of Multiculturalism*, 27.

⁸⁹ Song, *Justice, Gender, and the Politics of Multiculturalism*, 28.

⁹⁰ Song, *Justice, Gender, and the Politics of Multiculturalism*, 28.

⁹¹ Song, *Justice, Gender, and the Politics of Multiculturalism*, 28.

⁹² Song, *Justice, Gender, and the Politics of Multiculturalism*, 33.

mobility. Those who have limited ability in regard to global communications and mobility, to my mind, are far from having such multiple identities. Her examples are thus parochial and partial. Her examples at best represent minorities by force but not minorities by will. I maintain therefore that people with multiple identities cannot represent minorities in general.

Song also contends that group rights which try to protect a culture are untenable since there are not many cases of cultural extinction. As she makes her argument, she reveals her indifference to colonialism. For instance, she mentions many Pueblo children “spoke only English and understood Indian languages only a little or not at all” under Anglo-American rule. What she asserts is that through colonial conquest and coercion, the Pueblo nation experienced “cultural change without wholesale cultural extinction.”⁹³ In terms of Native Americans who experienced assimilation either voluntarily or involuntarily, she correctly claims that “multicultural experience has led to the adaptation of old cultural forms into new cultural forms, but the generation of new cultural forms does not necessarily mean that Native American identities have been lost.”⁹⁴ But the fact that a culture has adapted to different cultures does not justify colonialism. Even African Americans have survived despite their servile lives and their cultural identities probably have adapted to hostile cultures. However, it does not justify their slavery imposed by Westerners. Sara Song’s criticisms on Kymlicka’s group rights have some validity, but her criticism misses the crucial point of his group rights. As she contends, culture can be changed by its members, and, accordingly, cultural identity changes. But, changes can be achieved through different reasons. What Kymlicka warns is the change of culture that is “a

⁹³ Song, *Justice, Gender, and the Politics of Multiculturalism*, 34.

⁹⁴ Song, *Justice, Gender, and the Politics of Multiculturalism*, 35.

result of decisions made by people outside the culture.”⁹⁵ Kymlicka tries to provide ways in which a group keeps its autonomy while not infringing the rights of its individual members.

Through his understanding of culture and his distinction between the existence of a culture and its character, Kymlicka endeavors to show that culture is not detrimental to rights of its individual members. In addition, his emphasis on equality between groups and group identity reveals his sensitivity to colonialism. Cultural changes should be brought forth from within but not forced from outside. This frame of voluntary changes is applied to addressing the problem of internal minorities, i.e., increasing freedom within groups.

Kymlicka emphasizes that group rights should provide freedom to its individual members. But a simple solution is nonexistent. When a minority group does not accept the civil rights of its members, what can its liberal society do to the illiberal minority group? The universal individual human rights tradition can justify the imposition of liberal principles. However, Kymlicka eschews imposing liberal principles on the minority group. To explain his reasoning, he juxtaposes minorities with the sovereign state.

For Kymlicka, minority groups have the same rights as the sovereign state. It is difficult and dangerous to impose liberal principles onto sovereign states such as Saudi Arabia in which women or non-Muslims have no political rights or onto Germany wherein political rights are denied to guest-worker children who were born in Germany.⁹⁶ In his thinking, it is inconsistent for liberals to be willing to impose liberalism on minorities but to be reluctant to impose it on foreign countries. Kymlicka thus concludes that “liberal institutions can only really work if liberal beliefs have been internalized by the members of the self-governing society, be it an

⁹⁵ Kymlicka, *Multicultural Citizenship*, 105.

⁹⁶ Kymlicka, *Multicultural Citizenship*, 165.

independent country or a national minority.”⁹⁷ Some might ask whether such internalization is possible. It is possible because a given culture has its many subcultures, which can ask legitimacy of certain cultural practices.

Michael Perry’s concept of an internal critique is helpful to gain an understanding of such internalization.⁹⁸ An internal critique is a critique based on subcultures of a given culture. Perry points out that cultures are morally pluralistic, which opens a way of dealing with moral issues intraculturally rather than interculturally. An internal critique is possible because there are different moral traditions in a given culture. An internal critique is better than an intercultural critique since the intercultural critique will be regarded as “a morally imperialist attempt by outsiders to impose their values on the insiders, to make the insiders more like the outsiders.”⁹⁹ For instance, in terms of female circumcision, the Association of African Women for Research and Development stated that “[f]eminists from developed countries...must accept that [female genital mutilation] is a problem for African women, and that no change is possible without the conscious participation of African women.”¹⁰⁰ It means that critiquing and addressing problems of African women needs to be based on their shared understanding and participation. Female circumcision needs to be addressed through African women who can understand and participate in cultural changes. In this case, allowing the autonomy of African women seems to justify illiberal cultural practices, and thus may be criticized as restricting freedom within groups.

It is easy to blame the illiberal acts of minority groups. But criticizing illiberal minority groups does not prove that the majority embodies liberal principles. Sarah Song points out the

⁹⁷ Kymlicka, *Multicultural Citizenship*, 167.

⁹⁸ Michael J. Perry, *The Idea of Human Rights: Four Inquiries* (New York: Oxford University Press, 1998), 75-78.

⁹⁹ Perry, *The Idea of Human Rights: Four Inquiries*, 77.

¹⁰⁰ Perry, *The Idea of Human Rights: Four Inquiries*, 77. Reciting Association of African Women for Research and Development, "A Statement on Genital Mutilation," in *Third World, Second Sex: Women's Struggles and National Liberation*, ed. Miranda Davies (London, UK Atlantic Highlands, N.J., USA: Zed Books, 1983), 217.

danger, for example, when a group of liberal multiculturalists criticizes illiberal minorities, it does not recognize its own illiberal characteristics such as gender inequality. In the case of immigrants, what she calls congruent effect, “patriarchal practices in minority cultures may find support from mainstream norms such that the process of assimilation involves an affirmation of patriarchal traditions within minority cultures.”¹⁰¹ On the other hand, there is the diversionary effect. While the majority condemns illiberal practices of minority groups, it hides its own illiberal practices: “by focusing on the patriarchal practices of minority cultures, the majority can divert attention from its own gender hierarchies. . . . It also help[s] deflect criticism away from gender inequality in Western societies by emphasizing gender oppression in non-Western societies.”¹⁰² In many cases it is hypocrisy for a majority to impose liberal values onto an illiberal minority.¹⁰³ What she proposes to both the majority and the minority is to work together in addressing oppression and unjust hierarchies. In the same vein, Kymlicka also contends that protecting individual freedom needs collaboration between the liberal majority and the illiberal minority:

Liberals have a right, and a responsibility, to speak out against such injustice. Hence liberal reformers inside the culture should seek to promote their liberal principles, through reason or example, and liberals outside should lend their support to any efforts the group makes to liberalize their culture. Since the most enduring forms of liberalization are those that result from internal reform, the primary focus for liberals outside the group should be to provide this sort of support.¹⁰⁴

¹⁰¹ Song, *Justice, Gender, and the Politics of Multiculturalism*, 6.

¹⁰² Song, *Justice, Gender, and the Politics of Multiculturalism*, 7.

¹⁰³ She also mentions the boomerang effect. The boomerang effect indicates the possibility that toleration of illiberal minority practices is detrimental to liberal struggle within majority groups. Song, *Justice, Gender, and the Politics of Multiculturalism*, 7.

¹⁰⁴ Kymlicka, *Multicultural Citizenship*, 168.

Effective liberal solutions to internal minority injustice would undergird voluntary internal liberalization without external intervention. Although he justifies external intervention in the cases of “slavery or genocide or mass torture and expulsions,” the underlying principle is to respect the autonomy of minority groups with minimum intervention.¹⁰⁵ In terms of protecting differences, while it may take more time, this way of respecting the autonomy of minorities seems to promote freedom within groups as well as equality between groups.

2.4 Limitations of liberal multiculturalism

Liberal multiculturalism endeavors to promote both group difference and individual difference through equality between groups and freedom within groups. I agree that equality between groups can promote group difference. I also agree that group difference provides context of individual freedom, which is a crucial basis of individual difference within the group. In addition, I maintain that freedom within groups can address the internal minority problem. However, I argue that equality between group and freedom within groups can only partially protect and promote group difference and individual difference. Group difference that is substantiated by equality between groups is prone to be group difference by elites. If group difference is determined by elites, ordinary members of the group are excluded from the group difference determining process. The group difference is then a partial group difference. In terms of individual difference, the principle of freedom within groups reveals inconsistency of Kymlicka’s view of difference and equality. Kymlicka acknowledges the importance of equality between groups in promoting group difference. In the same way, equality between individuals is essential in promoting individual difference. Nonetheless, his principle of freedom within

¹⁰⁵ Kymlicka, *Multicultural Citizenship*, 169.

groups is silent on the relationship between equality and individual difference. In this sense, individual difference guaranteed by freedom within groups is also a partial individual difference. Group difference and individual difference should be promoted substantially by equality within groups.

Group difference that is promoted by equality between groups is partial and insufficient. It needs to be supplemented by equality within groups. Otto Bauer contends that promoting multiculturalism is inseparable from achieving economic equality. Multiculturalism in this case is not multiculturalism within a nation but every nation with its own culture.

Among three types of nations he mentions, it is the third type that is my concern, the one that can work toward respecting cultural differences and addressing economic inequality—the socialist society—“the community of education, of labor, of cultural enjoyment,” which ensures “participation in public life and social labor.”¹⁰⁶ Through participation in public life and social labor, the entire people, not only the educated few, decide the destiny of its nation. Bauer emphasizes that in the socialist society, the culture is shaped not only by the elites but by the entire people. Nations will have their own cultural community only as socialist societies, because through economic equality the entire people of a nation participate in the decision-making process. He contends that this participation is possible through “the transfer of the means of

¹⁰⁶ The first type is a nation composed of members of “a community of blood” and “the common culture inherited from their ancestors.” At first, they can comprise a nation with commonality, but the nation is prone to be disintegrated: It is because as a community of blood disallows intermarriage between the tribes the nation will be separated by tribe lines and thus will have different languages with which members have difficulty in communication. This type of nation is difficult to promote its own culture and economic equality. The second type of nation is based on “the distinction between social classes.” See Otto Bauer, *The Question of Nationalities and Social Democracy*, trans., Joseph O'Donnell (Minneapolis: University of Minnesota Press, 2000), 106. In the nation based on the class distinction, “the dominant classes – once the knighthood, today the educated classes – constitute the nation,” though the popular masses maintain the nation but they exist as only “the tenants of the nation.” Both the dominant classes and the subjugated classes develop different cultures, respectively. In such a nation, cultural differences of members are preserved without addressing economic equality. This type of nation is what Michaels has described above; multiculturalism recognizes cultural differences but neglect their economic inequality. See Bauer, *The Question of Nationalities and Social Democracy*, 118, 107.

production from private ownership to ownership by the society” and “the establishment of a national education system.”¹⁰⁷ In terms of the transfer of the means of production, while his proposal is designed to address economic inequality, his solution that the working class can address economic inequality is questionable in a highly developed capitalistic world. However, his proposal at least reminds us of the importance of the economic dimension in addressing minority autonomy and the intrinsic connection between autonomy and economic equality. To prevent minority autonomy from being monopolized by dominant classes, the economic inequality of the poor class should be addressed in such a way that all classes including the poor can participate in public life. Equality within groups is necessary for promoting group difference.

The question then is whether liberal multiculturalism can promote equality within groups. Liberal multiculturalism seems to be unable to provide it. Walter Benn Michaels points out that multiculturalism “obscur[es] obscuring class difference.”¹⁰⁸ According to him, multiculturalism makes poor people “[regard] their problems as effects of discrimination and intolerance.”¹⁰⁹ Poor people gather the false impression that they can solve their economic problems by addressing discrimination and intolerance. Michaels thus contends, “The dream of a world free of prejudice...is completely compatible with (is, actually, essential to) the dream of a truly free and efficient market. Here’s where the concept of neoliberalism – the idea of the free market as the essential mechanism of social justice – is genuinely clarifying.”¹¹⁰ How can it be so? It is because the corollary of the exclusive focus on identity, a society without racism and sexism, makes people believe that inequality is fixed and thus hides economic inequality. Kymlicka

¹⁰⁷ Bauer, *The Question of Nationalities and Social Democracy*, 92-93.

¹⁰⁸ Walter Benn Michaels, *The Trouble with Diversity: How We Learned to Love Identity and Ignore Inequality*, 1st ed. (New York: Metropolitan Books, 2006), 79.

¹⁰⁹ Michaels, *The Trouble with Diversity*, 75.

¹¹⁰ Michaels, *The Trouble with Diversity*, 75.

acknowledges such a danger of liberal multiculturalism. He admits that liberal multiculturalism is used “to repackage cultural differences as an economic asset in a global economy and/or as a commodity or life style good that can be marketed and consumed.”¹¹¹ He mentions several examples of commodified cultural diversity such as “‘corporate multiculturalism,’ ‘consumerist multiculturalism,’ ‘boutique multiculturalism,’ ‘neo-liberal multiculturalism,’ or ‘Benetton multiculturalism.’”¹¹² What he accentuates is that corporate elites are not supporters of multiculturalism; rather, they can easily reject it depending on the market situations. According to him, “Corporate elites have typically been latecomers to the multicultural bandwagon, and the first to jump off the wagon in periods of backlash and retreat against multiculturalism.”¹¹³ While Kymlicka is successful in pointing out the disconnection between multiculturalism and a neo-liberal economy, he does not and is unable to refute Michaels’ argument that multiculturalism cannot address economic inequality.

It does not mean that Kymlicka completely ignores the importance of the economic dimension of minority rights. The targeted indigenous rights track, his preference between generic rights for national minorities and targeted rights for indigenous people, shows the importance of the economic dimension. Specifically, indigenous rights guarantee “rights to land, control over natural resources, political self-government, language rights, and legal pluralism.”¹¹⁴ With such a guaranteed set of rights, a minority group can have their full autonomy. This shows the close connection between group economic rights and autonomy of minority groups. However, Kymlicka does not apply the close connection between economic equality and autonomy to individuals within groups. While he allows groups to have economic equality that guarantees

¹¹¹ Kymlicka, *Multicultural Odysseys*, 130.

¹¹² Kymlicka, *Multicultural Odysseys*, 131.

¹¹³ Kymlicka, *Multicultural Odysseys*, 131.

¹¹⁴ Kymlicka, *Multicultural Odysseys*, 284.

group autonomy, he is silent on individual economic equality that ensures individual autonomy. Kymlicka reveals his inconsistency in applying his principle of the close connection between economic equality and autonomy. His principle of freedom within groups is hardly workable since the individual's autonomy is not substantiated by economic equality.

The issue of neglecting economic equality is also evident in Kymlicka's principle of equality between groups. In protecting differences of internal minorities, Kymlicka asks to respect autonomy of internal minorities without providing economic equality. In protecting equality of the minority, he also asks respect for the autonomy of a state or the majority. In both cases, what Kymlicka asks is to wait. But there is a difference between the two cases. In the case of protecting differences of the internal minority, respecting autonomy of internal minorities is not without challenges from outside. Liberals can challenge illiberal practices imposed on internal minorities although done without coercion. In the case of protecting equality of the minority, however, liberals give permission to postpone providing the targeted rights to the minority. Challenges can arise from the minority groups but they can be easily ignored by the permission of liberal multiculturalism, revealing a unidirectional tendency of liberal multiculturalism in addressing minority issues. Liberal multiculturalism engages aggressively in addressing neglected differences of minorities; it engages passively in addressing economic inequality of minorities. While liberal multiculturalism declares that it promotes both difference and equality of minority groups, it shows its inclination to difference. Liberal multiculturalism's silence of equality within groups uncovers its thoroughness of claiming freedom and its half-heartedness of claiming equality. Freedom is its central concern while equality remains peripheral.

One of the reasons for the priority of difference to equality in liberal multiculturalism, I think, is its liberal understanding of an individual human being as the foundation of human rights. A liberal understanding of human beings is the reason why even liberal multiculturalism, a liberal understanding of group rights, prioritizes difference over equality. I will discuss the connection between liberal understanding of human beings and its negligence of equality in regard to human rights in the next chapter. In addition, I will show that without equality individual difference cannot be properly protected.

2.5 Conclusion

An ethics of concrete others promotes differences of concrete others through equality. There are two differences of concrete others: group difference and individual difference. The two differences are separable but interconnected and interdependent. Ignoring either one of them is detrimental to the other. Universal human rights and special group rights have endeavored to promote both differences. However, universal human rights could promote individual difference at the cost of group difference, while special group rights could promote group difference at the expense of individual difference. In order to promote both differences, liberal multiculturalism proposes equality between groups and freedom within groups. Although liberal multiculturalism endeavors to promote group difference through equality between groups and individual difference through freedom within groups, I have shown that it is partially successful in promoting individual difference and group difference. It is because liberal multiculturalism neglects equality for individuals. While liberal multiculturalism emphasizes individual difference and group difference of concrete others, it fails to substantially promote such differences. In the next chapter, I will contend that liberalism and liberal multiculturalism fail to substantially

promote individual difference because in promoting individual freedom they deny a constitutive role of economic equality, specifically capability equality and least-gap equality.

Chapter 3

Liberal Individualism and Its Priority of Property over Freedom

I have shown in the previous chapter that liberal multiculturalism is unable to fully protect individual difference with its principle of freedom within groups. The reason for the failure is that the principle neglects equality within groups that is necessary for substantially promoting individual difference. This chapter delves into why liberal multiculturalism prioritizes individual freedom over equality. Specifically, I focus on liberalism because liberal multiculturalism is in alignment with liberalism in that both neglect equality for prioritizing individual freedom. I work with liberal theories that justify equality as secondary or irrelevant to individual freedom. In evaluating liberal theories, my view of equality consists of two kinds: capability equality and least-gap equality. Both are essential for promoting individual freedom of all: capability equality provides basic needs for individuals and least-gap equality reduces the economic gap between the poor and the rich. I will argue that the justifications of the priority of freedom over equality are not persuasive as they are put forth by the liberal theorists such as Isaiah Berlin, Robert Nozick, John Rawls, and Ronald Dworkin and that they are unsuccessful in promoting the freedom of all by neglecting equality.

Arguing that it is inconsistent for the supporters of liberalism to justify the priority of freedom over equality, I will show that liberalism's priority of freedom is based on its prioritization of private property over individual freedom. The discrepancy between the purported priority and the real priority of liberalism is the corollary of the liberal understanding of human beings, that is, liberal individualism: individuals as asocial, self-interested beings. Theoretically, while the twin pillars of liberal individualism, which consist of individual freedom

and private property, have equal values, private property has more prominence, as a protector of individual freedom. As private property is prioritized, however, it protects the freedom of some individuals, i.e., the propertied, but not all individuals. Liberal individualism, therefore, is unable to protect the freedom of all and, thus, proves itself unable to be a foundation for the rights of all human beings.

3.1 Priority of Individual Freedom over Equality

Individual freedom is the core value of liberalism. Liberal political morality is “fundamentally connected to a view of individual liberty.”¹ According to Anthony Arblaster, “Liberalism distinguishes itself from other political doctrines by the supreme importance it attaches to freedom, or liberty.”² There is no doubt that individual freedom is a basic value of liberalism. However, different types of liberalism reveal different understandings of the relationship between individual freedom and equality. Broadly speaking, there are two liberal views of relationships between individual freedom and equality: 1) the view that individual freedom is unrelated or opposed to equality and 2) that equality is necessary and conducive to individual freedom. The former view is expressed by the traditional liberalist, Isaiah Berlin, and by the extreme libertarian, Robert Nozick, while the latter view is contended by the liberal egalitarians, John Rawls and Richard Dworkin. Though they reveal differing views on the relationship between individual freedom and equality, I will demonstrate that both traditional liberalism and liberal egalitarianism prioritize individual freedom over equality and that neither

¹ Alex Gourevitch, "Are Human Rights Liberal?," *Journal of Human Rights* 8, no. 4 (2009): 304.

² Anthony Arblaster, *The Rise and Decline of Western Liberalism* (Oxford; New York, NY: B. Blackwell, 1984), 56. Stuart Hampshire says that “the extension and safeguarding of every individual’s equal freedom to choose his own manner of life for himself is the end of political action.” Stuart Hampshire, "In Defence of Radicalism," *Encounter* 5, no. 2 (1955): 37.

form of liberal political theory provides persuasive reasons for justifying the priority of individual freedom over equality.

In evaluating the liberal theories, I use as criteria capability equality and least-gap equality. They are two dimensions of equality that substantiate individual freedom of all. Capability equality is based on “Capabilities Approach” proposed by Martha Nussbaum.³ The Capabilities Approach “takes *each person as an end*, asking not just about the total or average well-being but about the opportunities available to each person. It is *focused on choice or freedom*, holding that the crucial good societies should be promoting for their people is a set of opportunities, or substantial freedoms, which people then may or may not exercise in action: the choice is theirs.”⁴ Nussbaum emphasizes substantial freedom of individuals. For instance, one can skip a meal as a result of either famine or fasting. The Capabilities Approach allows a fast but not famine. It emphasizes individual choice but on the presumption that individuals have material resources for their choices. Nussbaum enlists ten central capabilities.⁵ These capabilities may require adequate food, shelter, healthcare, education, protection of individual freedom, and the like. According to Nussbaum, these capabilities are far from solving social injustice but show “a rather ample social minimum.”⁶ Though I agree that an ample social minimum is a necessary condition for substantial freedom, it is not a broad enough condition for substantial freedom. Substantial freedom requires least-gap equality, which is the other dimension of equality with which I evaluate liberal theories. Least-gap equality means that the economic gap between the rich and the poor should be as narrow as possible in a given political community. Without least-

³ Martha Craven Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2011), 18.

⁴ Nussbaum, *Creating Capabilities*, 18.

⁵ Nussbaum, *Creating Capabilities*, 33-34. The central capabilities are (1) life, (2) bodily health, (3) bodily integrity, (4) senses, imagination, and thought, (5) emotions, (6) practical reason, (7) affiliation, (8) Other species, (9) play, (10) control over one’s environment.

⁶ Nussbaum, *Creating Capabilities*, 40.

gap equality, the worse-off are unable to have substantial freedom, as they can have fewer primary goods than the better-off, which I will discuss in the section on John Rawls. In terms of capability equality, it is different from the Capabilities Approach. While the Capabilities Approach requires ample social minimum without designating strict economic equality, capability equality requires more than ample social minimum, such as basic income, public education, and public health care.⁷ When I use the term economic equality, the definition will necessarily include both dimensions: capability equality and least-gap equality.

3.1.1 Individual Freedom unrelated or opposed to equality

3.1.1.1 Isaiah Berlin

Isaiah Berlin places great emphasis on individual freedom, specifically, negative freedom. In asserting the sheer importance of negative freedom, however, Isaiah Berlin at first does not deny the importance of equality. Distinguished from positive freedom, negative freedom is “the area within which a man can do what he wants.”⁸ A human being should have an area that is not coerced by others. Negative freedom thus rejects any coercion that “implies the deliberate interference of other human beings within the area in which I wish to act.”⁹ It designates the area of non-interference.

[Negative] freedom is freedom from chains, from imprisonment, from enslavement by others. The rest is extension of this sense, or else metaphor. To strive to be free is to

⁷ I will deal with basic income in Chapter 5. Nussbaum also mentions strict equality such as “equal voting rights and equal rights to religious freedom.” However, she does not mention strict economic equality. Nussbaum, *Creating Capabilities*, 41.

⁸ Isaiah Berlin, *Four Essays on Liberty* (New York: Oxford University Press, 1969), 122. Negative freedom is different from positive freedom in that negative freedom is compatible with the absence of self-government while positive freedom is not: “It is that liberty in this sense is not incompatible with some kinds of autocracy, or at any rate with the absence of self-government. Liberty in this sense is principally concerned with the area of control, not with its source....[S]o it is perfectly conceivable that a liberal-minded despot would allow his subjects a large measure of personal freedom....Freedom in this sense is not, at any rate logically, connected with democracy or self-government.” Berlin, *Four Essays on Liberty*, 129-30.

⁹ Berlin, *Four Essays on Liberty*, 122.

seek to remove obstacles; to struggle for personal freedom is to seek to curb interference, exploitation, enslavement by men whose ends are theirs, not one's own. Freedom, at least in its political sense, is co-terminous with the absence of bullying or domination.¹⁰

Negative freedom provides an individual her private realm free from interference by others. While he emphasizes the private realm, devoid of interference, Berlin is not ignorant of the importance of equality; rather, he is sensitive to enslavement, exploitation, and the danger of unrestrained capitalism: "The evils of unrestricted laissez-faire, and of the social and legal systems that permitted and encouraged it, led to brutal violations of 'negative' liberty – of basic human rights (always a 'negative' notion: a wall against oppressors), including that of free expression or association."¹¹ Berlin thus recognizes that the infringement of negative liberty can be caused by economic inequality.

However, Berlin asserts that promoting negative liberty is unrelated or, in some cases, opposed to economic equality. To show that connection, Berlin differentiates liberty from its condition. When a person cannot exercise her negative liberty because of her poverty, according to Berlin, it does not mean that she has no negative liberty. What Berlin denies is a direct connection between liberty and poverty/equality. Poverty/equality is related only to the condition of liberty, not to the liberty itself: "The obligation to promote education, health, justice, to raise standards of living...is not made less stringent because it is not necessarily directed to the promotion of liberty itself, but to conditions in which alone its possession is of value, or to values which may be independent of it."¹² To illustrate the irrelevance of liberty to equality as its condition, he uses an example of equality in education. Considering social equality, one may

¹⁰ Berlin, *Four Essays on Liberty*, lvi.

¹¹ Berlin, *Four Essays on Liberty*, xlv.

¹² Berlin, *Four Essays on Liberty*, liii.

contend that children should get equal education not “governed by the financial resources or the social position of parents rather than the ability and the needs of the children.”¹³ When a state sponsors equal education for all children, if the parents want to choose their own way of educating their children, in order to guarantee their negative freedom, the liberty of the parents needs to be respected.¹⁴ If equal education for all children denies the parents a choice to educate their children in their own way, then their negative freedom has been infringed upon. What Berlin emphasizes through this example is that promoting negative freedom is unrelated to economically equal conditions and, what is worse, is that economic equality can infringe negative freedom. Moreover, he argues:

It must not be forgotten that even though freedom without sufficient material security, health, knowledge, in a society that lacks equality, justice, mutual confidence, may be virtually useless, the reverse can also be disastrous. To provide for material needs, for education, for such equality and security as, say, children have at school or laymen in a theocracy, is not to expand liberty....Indeed,...paternalism can provide the conditions of freedom, yet withhold freedom itself.”¹⁵

Berlin points out the danger of an equality that is detrimental to negative freedom. While equality tries to provide for the conditions of negative freedom, it may reduce or negate negative freedom itself. Thus, he asserts that there is no intrinsic connection between freedom and equality. For him, equality can at best provide the conditions of negative freedom and at worst present obstacles to negative freedom. In this respect, equality as a condition of freedom does not lead to the promotion of negative freedom.

¹³ Berlin, *Four Essays on Liberty*, liv.

¹⁴ Berlin, *Four Essays on Liberty*, liv.

¹⁵ Berlin, *Four Essays on Liberty*, liv-lv.

While Berlin emphasizes the priority of negative freedom and the separation between negative freedom and equality, he does not provide any persuasive reason not to promote economic equality in securing negative freedom. As he points out, one must consider that freedom, without sufficient material provisions, is virtually useless. For example, a person who is forced to take a low-income job may have negative freedom but cannot exercise this freedom due to economic constraints. A woman who is poor and has no special skills, for instance, is employed at minimum wage and cannot meet her expenditures. She longs to enjoy her negative freedom, i.e., not to be enslaved, but she has no choice other than to accept her economically enslaved situation. If state-sponsored programs offered some kind of career training school to her, she might have a chance to avoid economic enslavement. In this case, equality is indispensable for activating her negative freedom in order to be free from economic enslavement. If equality provides the conditions of her negative freedom, equality should be promoted in order for her to enjoy negative freedom. In a similar vein, equality of opportunity in education can promote negative freedom. As Berlin indicated above, if a state-sponsored education for all is mandatory, it could be harmful to the liberty of parents who want their children to be educated in their own way. However, if a state sponsors equal education for all while giving an educational option like school vouchers to parents, all parents would have access to the enjoyment of negative freedom: 1) parents who selected other educational means would enjoy their negative freedom and 2) parents who were destitute would be able to educate their children and enjoy their negative freedom as well. Equality, in this sense, is not only helpful but also necessary in order to secure negative freedom.

Conversely, if negative freedom is unrelated to equality, there is no persuasive reason not to promote equality. In terms of negative freedom, Berlin says, "Everything is what it is: liberty

is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience.”¹⁶ Here, he delineates the difference between liberty and equality. Liberty is unrelated to private property. He mentions that negative “liberties are compatible with extremes of exploitation, brutality, and injustice.”¹⁷ In this vein, he adumbrates that negative freedom does not include private property, unlike Friedrich Hayek, whose negative sphere includes “private property, a right to privacy and secrecy, and the conception of a man’s house as his castle.”¹⁸ If one’s negative freedom is unrelated to whether or not one has her property, promoting equality does not impact negative freedom. If so, in order to protect negative freedom, there is no persuasive reason not to promote equality.

In the relationship between negative freedom and equality, I have argued that promoting equality can be a necessary condition or does no harm to negative freedom. Berlin, however, contends that promoting equality can be an obstacle to negative freedom. He worries about paternalism, which “can provide the conditions of freedom, yet withhold freedom itself.”¹⁹ He is correct, for instance, if state-sponsored education for all children limits parents’ freedom to educate their children in their own way. In the example, in which the state-sponsored education for all children, I have explained that parents are able to enjoy their negative freedom if they can select either the state-sponsored option or their preferred educational method. In this regard, Berlin excludes this choice option. Behind his exclusion of the choice option stands a misunderstanding of equality.

¹⁶ Berlin, *Four Essays on Liberty*, 125.

¹⁷ Berlin, *Four Essays on Liberty*, xlvi.

¹⁸ Beata Polanowska-Sygulska, "Two Visions of Liberty: Berlin and Hayek," in *Unfinished Dialogue*, ed. Isaiah Berlin and Beata Polanowska-Sygulska (Amherst, NY: Prometheus Books, 2006), 247.

¹⁹ Berlin, *Four Essays on Liberty*, liv-lv.

There are two kinds of misunderstandings of equality: one is the equation of promoting equality by expanding freedom and the other is the equation of promoting equality by imposing equality. Berlin points out that it is dangerous to equate promoting equality with expanding liberty. It is similar to the situation that a pauper regards freedom as “a legal right to purchase luxuries.”²⁰ As he indicates, it is a sheer misunderstanding of equality. If equality means buying what everyone wants, no society will succeed. It is an impossible conception of equality since the scarce resources cannot be given to all. The second type of misunderstanding of equality is revealed in the case of state-sponsored education for all children. In this case, he seems to think that equality negates individual negative freedom. The problem in this case is not equality, but rather imposition of equality. Imposing equality is different from capability equality. While imposing equality means providing equality without regard to individual choice, capability equality means providing equality in order to substantially promote individual difference. In a similar manner, providing equal opportunity stands in opposition to providing the same job. In the case of education, equal education for all is opposed to the same education for all. Berlin’s misunderstood equality is incompatible with negative freedom, but it does not mean that equality itself is incompatible with negative freedom. Not imposition of equality, but capability equality is compatible with negative freedom.

Being concerned about imposition of economic equality to be detrimental to negative freedom, Berlin is insensitive to the problem of negative freedom itself. Negative freedom has an innate inclination of being indifferent to others. There is no compelling reason for one to care about the others’ negative freedom. If one is content with his enjoyment of negative freedom while neglecting the infringement of the others’ negative freedom, negative freedom can be

²⁰ Berlin, *Four Essays on Liberty*, liv-lv.

called sheer egoism. However, it is not evident that he accepts the identification of negative freedom with egoism. In this respect, his line-of-reasoning remains inconsistent. If one is indifferent to those whose negative freedom is useless because of their economic hardship, then negative freedom is synonymous with selfishness. But, Berlin is hesitant to address such economic inequality in the promotion of negative freedom. In this vein, Berlin justifies the priority of negative freedom over equality without providing an adequate reason, which betrays his distorted understanding of equality as well as his inclination toward being unfaithful to the promotion of the negative freedom of all.

Accordingly, Berlin fails to provide convincing reasons as to why economic equality negatively affects negative freedom. Rather, as I mentioned, economic equality is helpful and necessary in order to promote negative freedom. Contrary to the despotism of his era, which represented a very real obstacle to negative freedom, today's laissez-faire economy, the uncontrolled market economy, and the liberal ultra-individualism are the main threats to contemporary negative freedom. Without referring to equality, negative freedom had the potential to challenge despotism at that time. However, currently, negative freedom without recourse to economic equality is impotent to resist a laissez-faire economy and an uncontrolled market economy. Clearly, Berlin's understanding of a negative freedom that is unrelated to economic equality, specifically, capability equality, is devoid of any current significance.

3.1.1.2 Robert Nozick

Unlike Berlin, who separates negative freedom from private property, Robert Nozick asserts that the strictest preservation of individual freedom will protect private property. According to Nozick, individual freedom is inseparably connected to property rights. A state

exists to protect individual freedom and, accordingly, to secure individual property. Thus, in terms of the state, he concludes:

A minimal state, limited to the narrow functions of protection against force, theft, fraud, enforcement of contracts, and so on, is justified; that any more extensive state will violate persons' rights not to be forced to do certain things, and is unjustified; and that the minimal state is inspiring as well as right. Two noteworthy implications are that the state may not use its coercive apparatus for the purpose of getting some citizens to aid others, or in order to prohibit activities to people for their own good or protection.²¹

For Nozick, a state exists for protecting property rights and preventing unjust redistribution of property in order for people not to forcibly redistribute their property against their will.

Being against redistribution and aiding others, Nozick has his own view of equality. He differentiates between an unacceptable view of equality and acceptable ones. An unacceptable view of equality is need-based equality. Nozick contends that need-based equality is problematic since need-based equality is overriding an individual's goals and entitlement. For instance, doctors' activities can be allocated for "the goal of medical care."²² By allocating and distributing medical goods according to needs, a society's goal overrides the personal goals and entitlements of the doctors, who "may decide for themselves to whom they will give the thing and on what grounds."²³ As need-based equality infringes upon an individual's goals and entitlement, individual freedom is severely restricted. Need-based equality is incompatible with individual freedom and thus is perceived by the individual as an unacceptable view.

Equal opportunity, which is the key component of capability equality, is also an unacceptable view of equality for Nozick since it is incompatible with individual freedom.

²¹ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), ix.

²² Nozick, *Anarchy, State, and Utopia*, 234.

²³ Nozick, *Anarchy, State, and Utopia*, 235.

Nozick states that there are two ways of providing equal opportunity: “by directly worsening the situations of those more favored with opportunity, or by improving the situation of those less well-favored.”²⁴ The former case is plainly unacceptable since it directly restricts the freedom of individuals who happen to be more favored. While the latter case does not directly restrict the freedom of those more favored with opportunity, it is still unacceptable because it indirectly restricts their freedom. The indirect restriction of freedom happens as follows. The latter case requires resources. The required resources come from the more favored with opportunity. Those more favored with opportunity need to provide their resources to those less favored with opportunity. It thus worsens the situation of those more favored with opportunity and accordingly restricts their freedom. According to Nozick, in both instances, equal opportunity is unfair to those more favored with opportunity. His rationale behind his rejection of equal opportunity is stated as follows:

The major objection to speaking of everyone’s having a right to various things such as equality of opportunity, life, and so on, and enforcing this right, is that these “rights” require a substructure of things and materials and actions; and other people may have rights and entitlements over these. No one has a right to something whose realization requires certain uses of things and activities that other people have rights and entitlements over.²⁵

The rationale for rejecting equal opportunity is that economic equality for some diminishes the rights and entitlements of others.

Both need-based equality and equality of opportunity are unacceptable views of equality, which are nonsense to Nozick in light of his entitlement theory. In order to scrutinize whether his

²⁴ Nozick, *Anarchy, State, and Utopia*, 235.

²⁵ Nozick, *Anarchy, State, and Utopia*, 238.

rejection of need-based equality and equal opportunity is justifiable, his entitlement theory must be addressed.

Nozick contends that his entitlement theory identifies just ownership. Stated differently, the entitlement theory is the only acceptable view of equality for him. There are three processes through which one can have justifiable holdings:

1. A person who acquires a holding in accordance with the principle of justice in acquisition is entitled to that holding.
2. A person who acquires a holding in accordance with the principle of justice in transfer, from someone else entitled to the holding, is entitled to the holding.
3. No one is entitled to a holding except by (repeated) applications of 1 and 2.²⁶

The first principle, the principle of justice in acquisition, concerns the original acquisition of holdings. While criticizing Locke's acquisition theory that one's property rights in unowned objects is originated from his labor mixed in the object, Nozick justifies the acquisition of unowned objects: if it does not worsen the situations of people who are unable to appropriate them. He rejects the sole criteria of property rights as labor and instead proposes as a justification of property rights that others are not worsened by the acquisition.²⁷ Private acquisition is justified as long as it does not worsen the situation of those who are excluded from such an acquisition. He contends that private property "increases the social product by putting means of production in the hands of those who can use them most efficiently" in such a way as to provide more employment and keep resources for future generations.²⁸ In terms of the original acquisition, it is

²⁶ Nozick, *Anarchy, State, and Utopia*, 151.

²⁷ Snyder contends that Nozick misunderstood Locke. According to him, "For one thing, the notion of mixing one's labor with a thing is only part of one of Locke's two reasons for thinking that labor makes appropriation possible. But more importantly, Nozick has not taken into account Locke's entire argument." David C. Snyder, "Locke on Natural and Property Rights," *Canadian Journal of Philosophy* 16, no. 4 (1986): 737. About Locke's two reasons for thinking that labor makes appropriation possible, see Snyder, "Locke on Natural and Property Rights," 736.

²⁸ Nozick, *Anarchy, State, and Utopia*, 177.

justified because the Lockean proviso, the “enough and as good left in common for others,” is not violated, i.e., it does not worsen the situations of people who are unable to appropriate the acquisition.²⁹ It will be discussed later whether or not Nozick’s version of the Lockean proviso is viable. The second principle, the principle of justice in transfer, addresses the transferring of holdings from one to another. Through the example of Wilt Chamberlain, Nozick shows that redistribution (need-based equality) is a violation of the principle of justice in transfer.³⁰ In a basketball game played by Chamberlain, people paid their money to watch Chamberlain. Thus, Chamberlain received money without force. Though Chamberlain earned a large sum of money, there was no injustice, since the transfer of money was done voluntarily. If the state attempted to redistribute to the needy the money Chamberlain earned, it would have interfered with free choice, both of the audience and of Chamberlain. Because the redistribution would interfere in their free choice, it would have been unacceptable. Only voluntary transfer is justified. The third principle, the principle of rectification, is to rectify the injustice of the first and the second principles. If there exists an injustice in an original acquisition and/or injustice in transfer such as theft, fraud, and forced exclusion, it should be rectified. Conversely, if a person’s holdings are originally acquired and transferred justly, there is no way to redistribute the acquired property without violating the property owner’s rights.

In Nozick’s entitlement theory, specifically addressed in the second principle, individual freedom is closely related to property rights. In a sense, for Nozick, promoting individual freedom is equated with protecting private property. According to Nozick, one’s natural talents, endowments, and merits are inseparable from individuality: “Whether or not people’s natural

²⁹ Nozick, *Anarchy, State, and Utopia*, 175. John Locke and Ian Shapiro, *Two Treatises of Government: And a Letter Concerning Toleration* (New Haven, Conn.: Yale University Press, 2003), 112.

³⁰ Nozick, *Anarchy, State, and Utopia*, 164, 166.

assets are arbitrary from a moral point of view, they are entitled to them, and to what flows from them.”³¹ People have a right not only to their natural endowments, but also the results of such endowments. Since natural endowments are inseparable from individuality, taxation represents a kind of forced labor, which amounts to a violation of freedom.³² In Nozick’s scheme, infringement of individual freedom is synonymous with encroachment of property rights and vice versa. According to Sharon Vaughan, such an equation between freedom and property rights is possible “because he connects respecting private property ownership rights with respecting individual as ends in themselves.”³³ Nozick says:

Why not similarly hold that some persons have to bear some costs that benefit other persons more, for the sake of the overall social good? But there is no social entity with a good that undergoes some sacrifice for its own good. There are only individual people, different individual people, with their own individual lives. Using one of these people for the benefit of others, uses him and benefits the others. Nothing more. What happens is that something is done to him for the sake of others. Talk of an overall good covers this up. (Intentionally?) To use a person in this way does not sufficiently respect and take account of the fact that he is a separate person and his is the only life he has. He does not get some overbalancing good from his overall sacrifice, and no one is entitled to force this upon him – least of all a state or government that claims his allegiance (as other individuals do not) and that therefore scrupulously must be neutral between its citizens.³⁴

Nozick identifies individuality with property. If an individual’s property is used for other people, according to Nozick, it is treating an individual as means for the people not as an end in herself.

That is to say, to treat an individual as an end, we should refrain from using property for our

³¹ Nozick, *Anarchy, State, and Utopia*, 226.

³² Nozick, *Anarchy, State, and Utopia*, 168-69.

³³ Sharon K. Vaughan, *Poverty, Justice, and Western Political Thought* (Lanham, Md.: Lexington Books, 2008), 177.

³⁴ Vaughan, *Poverty, Justice, and Western Political Thought*, 180. Reciting Nozick, *Anarchy, State, and Utopia*, 32-33.

advantage. It can be a persuasive argument, however, with the proviso that, on the one hand, every individual is treated as an end in herself without regard to the amount of the property possession and, on the other hand, the original acquisition is justified. His theory is not persuasive since it treats individuals differently based on their private property and since it provides no justification for the original acquisition.

In Nozick's theory of entitlement, the principle of original acquisition is unjustifiable. Nozick contends that original acquisition is justified if it satisfies the Lockean proviso that one can have a property rights "where there is enough and as good left in common for others."³⁵ Nozick understands the proviso in the situation that "others are not worsened."³⁶ He understands the Lockean proviso in two ways: the stringent requirement of the proviso and the weaker requirement of the proviso. In his view, the stringent requirement of the proviso does not allow "permanent and inheritable property rights," although a weaker requirement of the proviso can allow "appropriation and permanent property."³⁷ His version of the proviso is the weaker requirement proviso. There are two ways of worsening another in the process of appropriation: "first, by losing [for him] the opportunity to improve his situation by a particular appropriation or any one; and second, by [his] no longer being able to use freely (without appropriation) what he previously could."³⁸ The stringent requirement of the proviso does not allow both ways of wronging others through the permanent and inheritable property rights. The weaker requirement of the proviso, Nozick advocates, allows the second way of wronging others but not the first. While the acquisition of a certain property does not allow others to use it freely, he thinks that the first way of wronging others can be addressed by allowing private property rights. He

³⁵ Nozick, *Anarchy, State, and Utopia*, 175. Locke and Shapiro, *Two Treatises of Government*, 112.

³⁶ Nozick, *Anarchy, State, and Utopia*, 175.

³⁷ Nozick, *Anarchy, State, and Utopia*, 176-77.

³⁸ Nozick, *Anarchy, State, and Utopia*, 176.

indicates that the social by-products of private property address the problem of persons who are wronged by the appropriation and permanent property:

[Private property] increases the social product by putting means of production in the hands of those who can use them most efficiently (profitably); experimentation is encouraged, because with separate persons controlling resources, there is no one person or small group whom someone with a new idea must convince to try it out; private property enables people to decide on the pattern and types of risks they wish to bear, leading to specialized types of risk bearing; private property protects future persons by leading some to hold back resources from current consumption for future markets; it provides alternate sources of employment for unpopular persons who don't have to convince any one person or small group to hire them, and so on.³⁹

By allowing appropriation and permanent property, as he points out, some propertyless people might grasp opportunities for addressing their wronged situation as they benefit from social products by those who can efficiently handle the means of production. However, Nozick's suggestion does not address all the wronged persons. That is to say, allowing appropriation and permanent property does not give all the wronged persons the opportunity to improve their situations. For instance, handling efficiently the means of production is an attempt to reduce labor costs by looking for cheaper labor. If there are two individuals who have the same skills but ask for different wages, an employer will without doubt choose the one who asks for the lower wage. In this case, at least the one who is not selected by the employer is wronged and thus is unable to improve his wronged situation, while the other is able to achieve. If the wronged situation of all participants cannot be improved, then Nozick's principle of original acquisition is unjustifiable.

³⁹ Nozick, *Anarchy, State, and Utopia*, 177.

In addition, Nozick's illegitimation of equal opportunity erodes his justification of the original acquisition. The original acquisition is justified only if the wronged persons can improve their wronged situations. To improve the wronged situations, those who have private property should provide opportunities to the wronged persons. But his entitlement theory stipulates that it should be done voluntarily, without forcing the propertied individuals. In order to justify the original acquisition, however, all the wronged persons should have opportunities to improve their wronged situations. That is to say, propertied individuals should share their resources to give opportunity in order to improve the wronged situations of all. Unless all the wronged persons have opportunities to improve their wronged situations, the original acquisition is unjust. In order to justify the original acquisition, the propertied individuals should provide all the wronged persons with opportunities to improve their wronged situation. Under Nozick's theory that is impossible because he rejects the view that one should provide equal opportunity to all. It is, therefore, impossible to justify the original acquisition premise, since Nozick illegitimizes equal opportunity for all.

Considering that every wronged person cannot improve their wronged situation because of the efficient handling of the means of production and the unequal opportunity for all, leaves Nozick's theory with a significant problem, when we consider his understanding that every individual possesses the same dignity and inviolability:

The minimal state treats us as inviolate individuals, who may not be used in certain ways by other as means or tools or instruments or resources; it treats us as persons having individual rights with the dignity this constitutes. Treating us with respect by respecting our rights, it allows us, individually or with whom we choose, to choose our

life and to realize our ends and our conception of ourselves, insofar as we can, aided by the voluntary cooperation of other individuals possessing the same dignity.⁴⁰

Nozick makes it clear that his theory is based on individuals who are allowed to choose their lives, to achieve their ends, and to realize the conception of themselves. However, by being unable to address wronged persons, his theory erodes its fundamental basis: human beings as ends in themselves. His theory reveals that there is no way to treat every individual as an end in himself without regard to the amount of his property possession.

To treat a person as an end signifies an avoidance of attaching market value to a person. But in a society based on the market, that is a value difficult to maintain. Those who happen to have their natural endowments such as talents or inheritance can have many opportunities, while those with fewer natural endowments have fewer opportunities. Those with fewer natural endowments are likely to work, where they are paid less than they want to be paid. There may be some people who have enough resources to adequately cover their needs; they can voluntarily choose their jobs. However, there are probably more people who do not have enough resources to adequately cover their needs; they are unable to choose their jobs as voluntarily as those who have enough resources. If they cannot voluntarily choose their jobs, they are treated as a mere means rather than an end. In Nozick's entitlement theory, those who have properties can be easily treated as an end, but propertyless people are hardly treated as an end. Considering there are a small number of haves and the great number of have-nots in the world, most individuals are treated as a mere means.

There is another kind of person who is treated as a mere means in Nozick's theory. Those whose situations are wronged by natural disaster, unexpected accident, and inherent/acquired

⁴⁰ Nozick, *Anarchy, State, and Utopia*, 333-34.

diseases cannot be treated as individuals of the same dignity. Since his theory of entitlement is based on individual voluntariness, individuals are responsible for caring about what they do voluntarily. If there are people whose situations are wronged by natural disaster, unexpected accident, or inherent/acquired disease, no one is responsible for improving the situations of the people wronged by misfortune. That is because there has been no injustice done to those wronged by misfortune. His principle of rectification works only when injustice of acquisition and transfer produces wronged people. If they are excluded from the process of rectification, they are not treated as an end. The wronged by misfortune are, in a sense, nonbeing, whose existence is not recognized in the process of rectification. If there are such people who cannot be treated as an end in themselves, Nozick's theory of entitlement is far from justifiable.

What is evident in Nozick's theory is that the propertied can improve their wronged situations. As long as they have property, they can be treated as an end in themselves. Unfortunately, the propertyless are likely to be treated as a mere means. In other words, Nozick opens ways for those who have property to realize their ends and the conception of themselves, but not for those who have no property. Those who do not have properties are not individuals as an end in themselves. Nozick thus reveals the inevitable connection between having property and being treated as an end. Tibor Machan locates the rights to property at the heart of Nozick's system of individual rights.⁴¹ But, I think the property rights for Nozick means more than that. Put differently, his view of individual rights equates to private property rights. Natural endowments, talents, and merits are protected as individual properties. Those who have fewer natural endowments, talents, or merits have nothing to be protected by Nozick's entitlement theory. They become passive individuals who wait for opportunities mercifully or mercilessly

⁴¹ Tibor R. Machan, *Libertarianism Defended* (Aldershot, Hants, England; Burlington, VT: Ashgate, 2006), 164.

created by those who have property. While Nozick affirms freedom of all individuals, his individual freedom is only freedom for propertied individuals.

Considering Nozick's individual freedom based firmly on private property, there is no place for equal distribution or even equal opportunity, not to mention capability equality. Nozick mentions a possibility of using distributive justice and equality. If injustice occurs in the process of entitlement, Nozick admits that "distributive justice and equality...play a legitimate role" in addressing such injustice.⁴² But in his entitlement theory, such distributive justice and distributive equality remain unnecessary. His entitlement theory refuses equal opportunity, excludes the accidentally or naturally wronged people from rectification, and allows treating propertyless people as a mere means rather than an end. Only the results of theft, fraud, or forced contracts belong to the issue of distributive justice and equality. Other than these cases, as stated by Nozick, distributive justice and equality are seen as detrimental to individual freedom. Thus, providing resources for developing individual capability remains impossible.

As I have argued, Nozick's theory of entitlement is unjustifiable. His theory cannot treat individuals as an end in themselves due to his lack of justification for the original acquisition and his allowance of treating propertyless people as a mere means. In order to provide freedom for all, he needs to promote, at least, equal opportunity to all. However, he cannot do this since equal opportunity means an infringement of freedom on the propertied. Nozick protects private property, not individual freedom.

Isaiah Berlin and Robert Nozick regard equality as unrelated or opposed to individual freedom. In terms of negative freedom, I have argued that promoting equality is conducive to exercising negative freedom. In terms of Nozick's entitlement theory, I have argued that his

⁴² Nozick, *Anarchy, State, and Utopia*, 153, footnote.

theory protects the freedom of only propertied individuals, leaving the freedom of propertyless individuals unprotected. Nozick's entitlement theory is not faithful to his declaration of freedom for all individuals. Therefore, while Berlin and Nozick contend that equality is unrelated and opposed to individual freedom, I have shown that promoting equality is necessary and conducive to exercising individual freedom. As they negate equality, they are unable to protect individual freedom, but only to secure private property.

3.1.2 Equality necessary and conducive to individual freedom

3.1.2.1 John Rawls

Unlike Berlin and Nozick, John Rawls contends that individual freedom is closely connected to equality. For Rawls, equality has multi-layered meanings. Simone Chambers categorizes Rawls' equality into three spheres: "fundamental equality, political equality, and social and economic equality."⁴³ Fundamental equality means that "all persons are equal"; political equality means equal basic liberties such as "freedom of expression, religion, and association; equal right to vote and run for office; equality before the law and due process"; and social and economic equality means less unequal distribution.⁴⁴ In this section, I equate equality with socioeconomic equality and individual freedom with fundamental equality and political equality.

In terms of freedom, Rawls avoids defining freedom as either negative liberty or positive liberty. Instead, his view of freedom includes both negative liberty and positive liberty. His view of individual freedom is more expansive than those held by Berlin and Nozick. His general description of liberty reveals that his view is not restricted to negative liberty:

⁴³ Simone Chambers, "The Politics of Equality: Rawls on the Barricades," *Perspectives on politics* 4, no. 1 (2006): 82.

⁴⁴ Chambers, "The Politics of Equality: Rawls on the Barricades," 82.

This or that person (or persons) is free (or not free) from this or that constraint (or set of constraints) to do (or not to do) so and so. Associations as well as natural persons may be free or not free, and constraints may range from duties and prohibitions defined by law to the coercive influences arising from public opinion and social pressure. For the most part I shall discuss liberty in connection with constitutional and legal restrictions. In these cases liberty is a certain structure of institutions, a certain system of public rules defining rights and duties. Set in this background, persons are at liberty to do something when they are free from certain constraints either to do it or not to do it and when their doing it or not doing it is protected from interference by other persons.⁴⁵

At first glance, Rawls seems to justify only negative liberty, which is protected from interference by both institutions and other persons. Jean-Fabien Spitz argues that Rawls' liberty is a concept of negative liberty that can be protected through non-interference, that is, "where there are no other people around."⁴⁶ But Rawls' view of liberty is more than negative liberty. As Rawls indicates, his view of liberty is discussed in connection with constitutional and legal restrictions. Constitutional and legal restrictions presuppose the existence of citizens. That is to say, regarding liberty, Rawls is discussing liberty of citizens. Victoria Costa points out that Rawls' basic liberties—"such as freedom of conscience, freedom of association, and political liberties—do not even makes sense in the absence of other people."⁴⁷ As Costa indicates, political liberty belongs to Rawls' basic liberty.

In protecting and promoting political liberty, Rawls asserts that the constitution ideally guarantees that "those similarly endowed and motivated should have roughly the same chance of attaining positions of political authority irrespective of their economic and social class."⁴⁸ In order for citizens to have political liberty, they should have equal access to information about

⁴⁵ John Rawls, *A Theory of Justice*, Rev. ed. (Cambridge, Mass.: Belknap Press of Harvard University Press, 1999), 177.

⁴⁶ Jean-Fabien Spitz, "The Concept of Liberty in 'a Theory of Justice' and Its Republican Version," *Ratio Juris* 7, no. 3 (1994): 332-33.

⁴⁷ Victoria Costa, "Rawls on Liberty and Domination," *Res Publica* 15, no. 4 (2009): 400.

⁴⁸ Rawls, *A Theory of Justice*, 197.

political issues, equal “position to assess” proposals for such issues, and “a fair chance to add alternative proposals” to the political issues.⁴⁹ Rawls points out that without such equality, political liberty will be restricted.⁵⁰ He explains the danger of unequal political liberty in relation to economic inequality as follows:

Disparities in the distribution of property and wealth that far exceed what is compatible with political equality have generally been tolerated by the legal system... Political power rapidly accumulates and becomes unequal; and making use of the coercive apparatus of the state and its law, those who gain the advantage can often assure themselves of a favored position. Thus inequities in the economic and social system may soon undermine whatever political equality might have existed under fortunate historical condition. Universal suffrage is an insufficient counterpoise; for when parties and elections are financed not by public funds but by private contributions, the political forum is so constrained by the wishes of the dominant interests that the basic measures needed to establish just constitutional rule are seldom properly presented.⁵¹

Rawls thus emphasizes the intrinsically detrimental relationship between political inequality and economic inequality. In order to ensure political equality, economic inequality should not affect political freedom. Unequal political liberty exacerbates the existing economic inequality and vice versa. In this case, Rawls emphasizes political freedom unaffected by economic inequality rather than political freedom secured by economic equality.

When Rawls refers to liberty as the achievement of one’s life, the positive role of economic equality is more evident. For Rawls, liberty is not just negative liberty and political

⁴⁹ Rawls, *A Theory of Justice*, 198.

⁵⁰ There is a study about positive relationship between democracy and income distribution: “[D]emocracy is much more likely to survive in countries where income inequality is declining over time. For those democratic regimes for which we had more than one observation of income distribution, we calculated the probability that democracy would die should inequality either increase or decrease. We found that the expected life of democracy in countries with shrinking inequality is about 84 years, while the expected life of democracies with rising income inequality is about 22 years. (These numbers are based on 599 democratic years, with inequality increasing during 262 and declining during 337).” Adam Przeworski, Michael E. Alvarez, and Jose Antonio Cheribub, “What Makes Democracies Endure?,” in *The Global Divergence of Democracies*, ed. Larry Jay Diamond and Marc F. Plattner (Baltimore: Johns Hopkins University Press, 2001), 171.

⁵¹ Rawls, *A Theory of Justice*, 198-99.

liberty. Achieving one's life belongs to his view of liberty. In achieving one's life, economic equality is a necessary condition. Rawls says, "With more of [primary] goods men can generally be assured of greater success in carrying out their intentions and in advancing their ends, whatever these ends may be."⁵² Rawls further says, "A rational plan must, for example, allow for the primary goods, since otherwise no plan can succeed."⁵³ The primary goods are necessary for achieving one's good life. The primary goods are opportunities, income, and wealth, as well as rights and liberties.⁵⁴ To have more opportunities, income, and wealth means to improve unequal socioeconomic situations. Promoting economic equality is thus conducive to accomplishing one's ends. Costa in this vein states that Rawls "recognizes the need for economic resources as a necessary condition on citizens' being able to take advantage of their liberties in pursuing their distinct conceptions of the good life."⁵⁵

In promoting liberty, which includes negative freedom, political freedom, and one's good life, Rawls thus emphasizes the constitutive role of economic equality. However, Rawls neither equates political freedom with economic equality nor justifies equal distribution for achieving one's good life. He addresses the complicated relationship between liberty and equality with his two principles of justice. With those principles Rawls clarifies liberty as prior to economic equality and that difference principle is better than equal distribution. In his two principles of justice, Rawls takes it for granted that there are social and economic inequalities and also justifies such inequalities to secure basic liberties such as "political liberty... and freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person...; the

⁵² Rawls, *A Theory of Justice*, 79.

⁵³ Rawls, *A Theory of Justice*, 360. He also states that "primary goods should turn out to be those things which are generally necessary for carrying out such plans successfully whatever the particular nature of the plan and of its final ends." Rawls, *A Theory of Justice*, 361.

⁵⁴ Rawls, *A Theory of Justice*, 79.

⁵⁵ Costa, "Rawls on Liberty and Domination," 400-01.

right to hold personal property and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law.”⁵⁶ These liberties cannot be infringed upon in order to justify “greater social and economic advantages.”⁵⁷ Thus, Rawls establishes the priority of liberty over economic equality: “whenever the basic liberties can be effectively established, a lesser or an unequal liberty cannot be exchanged for an improvement in economic well-being.”⁵⁸ While accentuating that liberty is prior to economic equality, Rawls admits that liberty is not always prior to economic equality. There are cases that do not prioritize basic rights: “It is only when social circumstances do not allow the effective establishment of these basic rights that one can concede their limitation.”⁵⁹ Even in these cases, “[t]he denial of the equal liberties can be defended only when it is essential to change the conditions of civilization so that in due course these liberties can be enjoyed.”⁶⁰ It is evident from this view that economic equality is prioritized for creating the conditions of liberty. It is always a temporary postponement of liberty when equality is prioritized. Therefore, he reveals the primacy of liberty over economic equality.

In his difference principle, which deals with the issue of economic equality, Rawls acknowledges the importance of equal distribution and, at the same time, a preferable case of unequal distribution, which remains more advantageous than equal distribution. Difference principle justifies social and economic equality that is arranged “to the greatest expected benefit of the least advantaged.”⁶¹ In the original position, Rawls maintains that individuals will accept an inequality of wealth if it makes everyone better off. Specifically, the veil of ignorance justifies

⁵⁶ Rawls, *A Theory of Justice*, 53.

⁵⁷ Rawls, *A Theory of Justice*, 54.

⁵⁸ Rawls, *A Theory of Justice*, 132.

⁵⁹ Rawls, *A Theory of Justice*, 132.

⁶⁰ Rawls, *A Theory of Justice*, 132.

⁶¹ Rawls, *A Theory of Justice*, 72. In the case of the entrepreneurial class and the class of unskilled laborers, Rawls says, “it is justifiable only if the difference in expectation is to the advantage of the representative man who is worse off, in this case the representative unskilled worker. The inequality in expectation is permissible only if lowering it would make the working class even more worse off.” Rawls, *A Theory of Justice*, 68.

such inequality of wealth that makes everyone better off. In the veil of ignorance, everyone will choose the least unequal distribution based on the maximin rule: “we are to adopt the alternative the worse outcome of which is superior to the worst outcomes of the others.”⁶² In other words, “you maximize what you would get if you wound up in the minimum, or worst-off, position.”⁶³ Through the maximin rule, a self-interested individual behind the veil of ignorance “achieves much the same purpose as benevolence,” since individuals take their worst-off situation into consideration.⁶⁴ Rawls concludes that everyone will choose less unequal distribution that makes the worst-off better rather than either more unequal distribution or equal distribution that makes the worst-off worse than the less unequal distribution. Through difference principle, Rawls shows a way that economic inequality is compatible with liberty that requires economic equality.

It is probable that everyone prefers less unequal distribution rather than more unequal distribution. However, I am not persuaded by the view that everyone will choose less unequal distribution rather than equal distribution. Rawls justifies the priority of less unequal distribution over equal distribution with the proviso that every individual is mutually disinterested in every other. That is to say, if individuals are not interested in others’ interests, such as wealth, prestige, and domination, they will choose less unequal distribution that makes them better off. Clearly, however, mutual disinterestedness does not always favor less unequal distribution. There may be cases in which individuals favor equal distribution. For instance, three individuals can have options of a less unequal distribution like 5, 6, and 10 or an equal distribution like 4, 4, and 4. Some of them might prefer the less unequal distribution option, while others might prefer the

⁶² Rawls, *A Theory of Justice*, 133.

⁶³ Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (New York: Oxford University Press, 1990), 65.

⁶⁴ Rawls, *A Theory of Justice*, 128.

equal distribution option.⁶⁵ Rawls may argue that individuals, mutually disinterested and self-interested, will choose the less unequal distribution option because the worst-off will be better off as they choose the less unequal distribution option. But, there are some who think differently in terms of how the worst-off are better off. Those who have a more principled commitment to equality might think that the unequal differential between the worst-off and the best-off in the less unequal distribution is unbearable, as they prefer no differential between the worst-off and the best-off in the equal distribution. Between the two options, there is no reason that a mutually disinterested individual prefers the less unequal distribution. For some, the difference principle is a preference; however, the difference principle might not be the preference of the worst-off.

The more serious problem of the difference principle is that its indifference to the gap between the worst-off and the best-off can be detrimental to individual freedom. Considering Rawls' view that primary goods ensure the individuals' successful lives and political freedom is restricted by economic inequality, such a gap can erode individual freedom. The difference principle justifies unequal distribution as long as it benefits the worst-off. Theoretically, if the worst-off are better off, no one cares whether there is a huge differential between the worst-off and the best-off. As Norman Daniels points out, "Rawls sets no moral restriction on the absolute size of 'fair inequalities.'"⁶⁶ In this case, it can allow a huge inequality between the worst-off and the best-off. The huge inequality is then detrimental to the individuals' successful lives as well as their political liberty.⁶⁷ It is because, in terms of political liberty, "inequities in the economic and

⁶⁵ There could be two cases of preferring the less unequal distribution option: envy and a more principled commitment to equality. Between the two cases, I advocate a more principled commitment to equality.

⁶⁶ Norman Daniels, *Reading Rawls: Critical Studies on Rawls' a Theory of Justice* (New York: Basic Books, 1975), 254.

⁶⁷ Rawls denies the possibility of a huge inequality gap between the worst-off and the best-off, since "[t]he operation of the principles of equal liberty and fair equality of opportunity prevents these contingencies from occurring." Nonetheless, considering that fair equality of opportunity is restricted as the inequality gap increases,

social system may soon undermine...political equality.”⁶⁸ In relation to the individuals’ successful lives, Rawls says that “[w]ith more of [primary] goods men can generally be assured of greater success in carrying out their intentions and in advancing their ends.”⁶⁹ In light of the amount of primary goods, the best-off are likely to achieve their successful lives, while the worst-off have difficulties in advancing their ends. The difference principle, if it allows a huge gap between the best-off and the worst-off, can erode political liberty and interfere with an individual’s successful life.

The difference principle can be harmful to political liberty and individuals’ successful lives. It seems to be reasonable to have equal distribution for promoting political liberty and individual’s successful lives. But, Rawls prefers the difference principle to equal distribution. Why then does Rawls prefer the difference principle? It is because individuals are innately different in light of their natural talents and abilities. Rawls says:

The natural distribution of [talents and abilities] is neither just nor unjust; nor is it unjust that persons are born into society at some particular position. These are simply natural facts. What is just and unjust is the way that institutions deal with these facts. Aristocratic and caste societies are unjust because they make these contingencies the ascriptive basis for belonging to more or less enclosed and privileged social classes. The basic structure of these societies incorporates the arbitrariness found in nature. But there is no necessity for men to resign themselves to these contingencies. The social system is not an unchangeable order beyond human control but a pattern of human action.⁷⁰

According to Rawls, the difference principle is an attempt to redress unequal social structures brought by the individuals’ natural talents and abilities. Those who have natural talents and

Rawls’ principles of fair equality of opportunity cannot address the possibility of a huge inequality gap. See Rawls, *A Theory of Justice*, 136.

⁶⁸ Rawls, *A Theory of Justice*, 198-99.

⁶⁹ Rawls, *A Theory of Justice*, 79.

⁷⁰ Rawls, *A Theory of Justice*, 87-88.

abilities will have more primary goods, while those who lack such natural endowments will acquire less primary goods. If natural talents and abilities are viewed as individual property as in the case of Nozick, there is no way to redress the unequal social structure brought by individuals' natural talents and abilities. Rawls regards the natural talents and abilities as "a common asset" and the "help [for] the less fortunate."⁷¹ Rawls is correct in that the difference principle can address inequality caused by individual's different natural endowments. It is clear that in enhancing the lives of the worst-off, his difference principle is far better than Nozick's entitlement theory. However, the difference principle does not ensure the worst-off the political liberty and their successful lives as it is indifferent to widening gaps between the best-off and the worst-off.

Unlike the difference principle, Rawls' property-owning democracy might provide a more favorable condition for the worst-off to achieve the good life. To address the problem of inequality in a market economy, Rawls is advocating a property-owning democracy "in which land and capital are widely though not presumably equally held."⁷² A property-owning democracy is different from the capitalist welfare systems: "A welfare state presupposes extreme inequalities in property ownership and involves taxation of the incomes of the rich to subsidize directly or indirectly the incomes of the poor; a property-owning democracy involves widespread distribution of property ownership (pooled through insurance firms, investment trusts, and so on) so that each citizen receives a part of his or her income from property."⁷³ Such a society in a property-owning democracy prevents "one fairly small sector [from controlling] the

⁷¹ Rawls, *A Theory of Justice*, 87.

⁷² Rawls, *A Theory of Justice*, 247.

⁷³ Arthur DiQuattro, "Rawls and Left Criticism," *Political Theory* 11, no. 1 (1983): 56.

preponderance of productive resources.”⁷⁴ As land and capital are widely held, inequality in a market economy can become less severe. Rawls also thinks that a property-owning democracy can address socialist criticisms. He mentions two socialist challenges: one is that “a socially regulated system” can address inherently degrading market institutions and the other is that “social and altruistic motivation” can set up better economic institutions.⁷⁵ In his view, an economic system regulated by price is more just than a socially regulated one, and social and altruistic motivation has the limitation in that “while individuals are willing to act justly, they are not prepared to abandon their interests.”⁷⁶ As he points out, a property-owning democracy that can address inequality in a market economy to a certain extent is better than a socially regulated system and seems to be more realistic than a socially and altruistically motivated system.

However, the property-owning democracy cannot support Rawls’ view of liberty as well as his premise of economic equality. In a property-owning democracy, there will be both some individuals who own much property and many who own less or no property. It is because as long as property is alienable through the market, there are trades of the properties for various reasons. While there is no small sector that controls the preponderance of productive resources, there will be individuals of less property or no property at all. The less propertied or propertyless individuals will surely have less access to primary goods and thus can hardly achieve their political liberty and successful lives.

Instead of a property-owning democracy, Rawls also proposes a liberal socialist regime. But, a liberal socialist regime also has limitations in securing individual liberty and economic equality. Rawls explains a liberal socialist regime in the following way:

⁷⁴ Rawls, *A Theory of Justice*, 247.

⁷⁵ Rawls, *A Theory of Justice*, 248.

⁷⁶ Rawls, *A Theory of Justice*, 248.

We have only to suppose that the means of production are publicly owned and that firms are managed by workers' councils say, or by agents appointed by them. Collective decisions made democratically under the constitution determine the general features of the economy, such as the rate of saving and the proportion of society's production devoted to essential public goods. Given the resulting economic environment, firms regulated by market forces conduct themselves much as before.⁷⁷

For Rawls, as long as the system is regulated by market forces, a liberal socialist regime can address economic inequality. Macpherson criticizes Rawls, mentioning that Rawls does not consider the power of the exploitative capitalist market forces: "What is omitted is any consideration of the absence...of capitalist market forces, the force of which derives from the desire of entrepreneurs and firms to increase their capital, and their ability to do so by virtue of the property institutions which facilitate and require exploitation."⁷⁸ Since the capitalist market force is intrinsically exploitative, there are individuals who are to be exploited by the market force, even in the liberal socialist regime. If some individuals are exploited, their worst-off situation provides them less access to primary goods, and, accordingly, they can hardly achieve their political liberty or a successful life.

Unlike Nozick or Berlin, Rawls endeavors to protect individual liberty through his two principles of justice and his egalitarian economic system, since he recognizes the importance of equality in promoting individual liberty. However, his view of economic equality, in his difference principle and his egalitarian economic system, is unable to ensure individual liberty, specifically, political liberty and liberty for achieving one's good life. It is because his view of equality allows a huge gap between the best-off and the worst-off, though Rawls denies it. While Rawls emphasizes the importance of economic equality in promoting individual liberty, his view

⁷⁷ Rawls, *A Theory of Justice*, 248.

⁷⁸ C. B. Macpherson, "Review Symposium: iii-Rawls's Models of Man and Society," *Philosophy of the Social Sciences* 3, no. 1 (1973): 345.

of equality falls short of protecting and promoting his own view of liberty. In order to secure individual liberty, the gap between the best-off and the worst-off should be minimized.

3.1.2.2 Ronald Dworkin

Unlike Rawls, who proposes the priority of liberty over equality, Ronald Dworkin puts forward the priority of equality over liberty. For Dworkin, “justice is pretty much tantamount to equality once equality is rightly understood.”⁷⁹ According to Dworkin, the rightly understood equality is more important than liberty, since in some cases, liberty should be restricted for protecting equality. To understand his reasoning, it is important to delve into his understanding of equality. His view of equality is equality of resources, which is the ambition-sensitive but endowment-insensitive equality:⁸⁰

On the one hand we must, on pain of violating equality, allow the distribution of resources at any particular moment to be (as we might say) ambition-sensitive. It must, that is, reflect the cost or benefit to others of the choices people make so that, for example, those who choose to invest rather than consume, or to consume less expensively rather than more, or to work in more rather than less profitable ways must be permitted to retain the gains that flow from these decisions in an equal auction followed by free trade. But on the other hand, we must not allow the distribution of resources at any moment to be endowment-sensitive, that is, to be affected by differences in ability of the sort that produce income differences in a laissez-faire economy among people with the same ambitions.⁸¹

In his ambition-sensitive and endowment-insensitive equality, individuals are responsible for their choices, but not for their ability or circumstances. With relation to ambition, Dworkin contends that while individuals have resources equally, it is acceptable and necessary that

⁷⁹ Richard J. Arneson, "Property Rights in Persons," in *Economic Rights*, ed. Ellen Frankel Paul, Fred Dycus Miller, and Jeffrey Paul (New York: Cambridge University Press, 1992), 223.

⁸⁰ Kymlicka, *Contemporary Political Philosophy*, 75.

⁸¹ Ronald Dworkin, "What Is Equality? Part 2: Equality of Resource," *Philosophy and Public Affairs* 10, no. 4 (1981): 311. Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, Mass.: Harvard University Press, 2000), 89.

individuals have different incomes if they are based on their choices. For instance, there are two individuals who acquire the same size of land, but who use it differently: Adrian uses the land for gardening, and Bruce uses the land for his tennis court.⁸² Adrian amasses wealth through selling vegetables that he farmed, while Bruce is unable to do that. In this case, it is unjust to redistribute Adrian's wealth to Bruce because by his own choice, Bruce becomes poorer than Adrian. Everyone is responsible for the unequal results of their choices. Dworkin accepts inequality caused by such an individual's choice.

Individuals are responsible for their choices, but they are not responsible for natural disadvantages. That is to say, in Dworkin's equality of resources, it is necessary and acceptable to allow inequality caused by choices, but it is unacceptable to allow inequality caused by natural endowments, poor health, or bad circumstances. To prevent inequality caused by such factors, Dworkin proposes an income tax system that approximates the insurance scheme, in which endowment-sensitive inequalities can be addressed. Through certain kinds of income tax, we can "neutralize the effects of differential talents."⁸³ Income tax is in theory able to address an endowment-sensitive inequality; however, he acknowledges that there are difficulties in differentiating ambition from endowments. It is because talents and ambitions influence each other: "Talents and ambitions are too closely intertwined."⁸⁴ He adds, "Talents are nurtured and developed, not discovered full-blown, and people choose which talents to develop in response to their beliefs about what sort of person it is best to be."⁸⁵ In this sense, it is difficult to separate talents from ambition. But, he also mentions that "people also wish to develop and use the talents they have, not simply because they prefer a life of relative success, but because the exercise of

⁸² Dworkin, *Sovereign Virtue*, 84.

⁸³ Dworkin, *Sovereign Virtue*, 91.

⁸⁴ Dworkin, *Sovereign Virtue*, 91.

⁸⁵ Dworkin, *Sovereign Virtue*, 91.

talent is enjoyable and perhaps also out of a sense that an unused talent is a waste.”⁸⁶ In this light, talents are not subordinated to individual choices. Thus, talents can be separated from individual ambition, though it can be difficult. In this vein, Dworkin distinguishes unfair differences from fair differences: “Unfair differences are those traceable to genetic luck, to talents that make some people prosperous but are denied to others who would exploit them to the full if they had them.”⁸⁷ He frames talent in the same light as handicaps in such a way that “the lack of some skill is just another handicap.”⁸⁸ He proposes a hypothetical insurance situation, in which everyone has the same possibility of lacking some skills and based on the possibility that everyone will buy underemployment insurance in order to make up for the situation of lacking such skills. He then connects a tax scheme that is translated from his hypothetical insurance structure, in which the lack of skills can be compensated according to their degrees. In his tax scheme, the rich pay a greater premium than the poor: “a premium fixed as an increasing percentage of the income” instead of the flat-rate premium.⁸⁹ While he probes into the hypothetical insurance market that decides redistribution based on individual talents, he acknowledges the difficulties in measuring the ability to earn. He thus proposes “a scheme that tied redistribution to actual earning rather than to ability to earn” as “a better second-best approximation” to the hypothetical insurance market.⁹⁰ In this way, he thinks that it is possible to have an equality of resources that is an ambition sensitive and endowment insensitive distribution.

In light of the equality of resources, Dworkin contends that “liberty becomes an aspect of equality rather than, as it is often thought to be, an independent political ideal potentially in

⁸⁶ Dworkin, *Sovereign Virtue*, 91.

⁸⁷ Dworkin, *Sovereign Virtue*, 92.

⁸⁸ Dworkin, *Sovereign Virtue*, 93.

⁸⁹ Dworkin, *Sovereign Virtue*, 100.

⁹⁰ Dworkin, *Sovereign Virtue*, 102.

conflict with it.”⁹¹ He thus denies the view that “liberty is a fundamental value that must not be sacrificed for equality.”⁹² Instead, he puts the relationship between liberty and equality of resources as follows:

So liberty is necessary to equality, according to this conception of equality, not on the doubtful and fragile resources, but because liberty, whether or not people do value it above all else, is essential to any process in which equality is defined and secured. That does not make liberty instrumental to distributional equality any more than it makes the latter instrumental to liberty.⁹³

Dworkin emphasizes the inseparable, reciprocal relationship between liberty and the equality of resources. Because of the inseparable, reciprocal relationship, he rejects the view that liberty is prior to equality.

Denying the priority of liberty over equality, Dworkin defends the priority of equality over liberty since he accepts restricting liberty for the promotion of equality. For instance, there are some freedoms essential to liberty, and “government must not limit those freedoms without” compelling and powerful justification for not protecting them; they are “rights to freedom of conscience, commitment, speech, and religion, and to freedom of choice in matters touching central or important aspects of an agent’s personal life, like employment, family arrangements, sexual privacy, and medical treatment.”⁹⁴ While mentioning freedoms that must not be limited by government without compelling reasons whenever there is conflict between liberty and equality, Dworkin asserts that “liberty must lose.”⁹⁵ It is because “government must act to make

⁹¹ Dworkin, *Sovereign Virtue*, 121.

⁹² Dworkin, *Sovereign Virtue*, 121.

⁹³ Dworkin, *Sovereign Virtue*, 122.

⁹⁴ Dworkin, *Sovereign Virtue*, 127.

⁹⁵ Dworkin, *Sovereign Virtue*, 128.

the lives of those it governs better lives, and it must show equal concern for the life of each.”⁹⁶

For Dworkin, liberty, unlike art, is not intrinsically valuable, but only valuable for the better lives of people. He stipulates two conditions that justify restricting liberty: “(1) in spite of the fact that liberty is valuable to people’s lives, the position of some group within the community would nevertheless be improved, on balance, by eliminating some liberty; and (2) equal concern for that group requires that this be done.”⁹⁷ For instance, a government can abolish private medical care. In this case, freedom of individuals who want to have private medical care is restricted. Such a restriction of individual freedom is justified since the government should give the poor equal concern, so they can have access to better medical care. Dworkin thus seems to justify priority of equality over liberty when considering only the abstract egalitarian principle, i.e., treating each individual as an equal.

However, the priority of equality over liberty is not evident when Dworkin considers both the abstract egalitarian principle and the principle of the equality of resources. The two principles endorse the principle of abstraction, which “insists that an ideal distribution is possible only when people are legally free to act as they wish except so far as constraints on their freedom are necessary to protect security of person and property, or to correct certain imperfections in markets.”⁹⁸ Thus, he proposes that freedom of an individual should not be infringed upon, even when the abstract egalitarian principle demands it. He mentions two cases that justify restricting individual freedom: one case is to protect property and the other is to correct imperfections in the markets, that is, the redistribution of property. The former case allows a restriction of freedom for those who do not have property; they have no freedom to seize property from the propertied.

⁹⁶ Dworkin, *Sovereign Virtue*, 128.

⁹⁷ Dworkin, *Sovereign Virtue*, 130.

⁹⁸ Dworkin, *Sovereign Virtue*, 148.

The latter case allows restricting freedom of the propertied in order to address the market imperfections. While both cases stipulate when freedom of a certain group is restricted, the two cases can be incompatible with each other. For instance, while the propertied try to protect their property, the propertyless request a redistribution of property in order to address the market imperfections. Dworkin thus endeavors to address the predicament of the priority of equality over liberty.

Dworkin elaborates on when liberty is restricted for promoting equality. He calls restricting liberty victimization. He offers the principle of victimization to stipulate which restrictions of liberty are acceptable in promoting equality.⁹⁹ While the strongest principle of victimization requires no infringement on freedom, he advocates a weaker and more sensible form of the principle: “I shall assume that it requires that no one’s position be made worse, with respect to the liberty in question, than it would most likely have been in a defensible distribution.”¹⁰⁰ The defensible distribution is the initial situation when the equality of resources makes all individuals have equal resources and use them according to their liberty. In other words, if one has more liberty than allowed by defensible distribution, his liberty can be restricted to the extent that his liberty is the same as or little more than he is supposed to have under the terms of defensible distribution. Dworkin separates liberty that is unfringeable and liberty whose infringement is acceptable. Thus, Dworkin reveals a complicated view of the relationship between liberty and equality. On the one hand, as he allows a compromise of liberty, he accepts priority of equality over liberty; on the other hand, as he stipulates unfringeable liberty, he rejects the priority of equality over liberty. While Dworkin consistently contends that equality and liberty “are mutually reflecting aspects of a single humanist ideal,” by separating

⁹⁹ Dworkin, *Sovereign Virtue*, 175.

¹⁰⁰ Dworkin, *Sovereign Virtue*, 176.

uninfringeable liberty from compromising liberty, he reveals at least reluctance to accept consistent priority of equality over liberty.¹⁰¹

Dworkin's principle of victimization reveals uninfringeable liberty. What is uninfringeable liberty? As he explained, it is liberty that people have in the defensible distribution. It is, however, still ambiguous when considering the two incompatible restrictions of liberty: the restriction of liberty for protecting property and the restriction of liberty for addressing imperfections of the markets. He does not clarify what uninfringeable liberty is, but the equality of resources makes uninfringeable liberty visible, since the equality of resources justifies a certain kind of equality while it illegitimizes another kind of equality. The equality of resources is an ambition-sensitive and endowment-insensitive distribution. On the one hand, the equality of resources as endowment-insensitive distribution can solve what Rawls' difference principle is unable to address. Kymlicka points out that the difference principle is indifferent to a handicapped person.¹⁰² Imagine that there are two worst-off persons: one is handicapped and the other is not. When the two worst-off persons become better off than before, the difference principle is no more active. It ignores the fact that the handicapped worst-off person needs to pay at least the extra medical costs. But, Dworkin's equality of resources, which is endowment-insensitive, addresses inequality caused by natural and unexpected disadvantage. In this light, his view is more sensitive to inequality than Rawls' difference principle. As Dworkin is more sensitive to inequality of the worst-off by misfortune, he is concerned about the restricted liberty of the worst-off by misfortune. On the other hand, Dworkin's equality of resources is ambition-sensitive distribution. According to ambition-sensitive distribution, inequality caused by

¹⁰¹ Dworkin, *Sovereign Virtue*, 134. "[L]iberty and equality are not independent virtues but aspects of the same ideal of political association, so that when we declare our faith in liberty we are only affirming the form in which we embrace equality, only declaring, that is, what we mean by it." Dworkin, *Sovereign Virtue*, 182.

¹⁰² Kymlicka, *Contemporary Political Philosophy*, 72.

individual choice is justifiable. As long as wealth is accumulated by individual choice, redistribution of such wealth is against his equality of resources. It thus shows how he conceptualizes unfringeable liberty: individuals have the liberty to keep their property, which was accumulated by choice, and this liberty is unfringeable.

As Dworkin postulates on unfringeable liberty in order to protect accumulation by one's choice, his theory is faced with the same problem that Rawls' difference principle cannot address. While the difference principle allows the unlimited gap between the best-off and the worst-off, the equality of resources permits an unlimited economic disparity between the rich and the poor as long as the disparity is the result of individual choice. In a highly capitalized world, Dworkin's unfringeable liberty can be a serious problem in respect to its denial of his principle of the priority of equality over liberty. Specifically, Dworkin's unfringeable liberty allows for an inequality created by individual choice such as in financial speculation. In a highly capitalized world, the financial market has brought about a deterioration of the lives of the poor and a widening of the gap between the poor and the rich. As long as he allows for the widening gap between the poor and the rich, Dworkin is unable to promote the liberty of all.

3.1.3 Failure of liberal theories in protecting individual freedom

This discussion has grappled with the relationship between liberty and equality of several liberal theorists, such as Isaiah Berlin, Robert Nozick, John Rawls, and Ronald Dworkin. Isaiah Berlin admits the possibility that inequality can make negative liberty useless but emphasizes the danger that promoting equality is harmful or indifferent to negative liberty. I argue that promoting equality can be a necessary condition for protecting negative liberty and accordingly Berlin's priority of liberty over equality is unjustifiable. Robert Nozick refutes any claim of economic equality since economic equality can only be achieved by restricting individual liberty.

His entitlement theory protects only the freedom of the propertied people and accordingly is unable to protect the freedom of all individuals, who are an end in themselves. Because not all individuals are treated as an end in themselves, his entitlement theory is unjustifiable. As long as he neglects equality, he is unable to treat all individuals as an end in themselves, that is, to protect the individual freedom of all. John Rawls proposes the difference principle to address the infringement of liberty of the worst-off in a given society, acknowledging that equality is essential to promoting liberty. However, John Rawls' difference principle can allow a huge gap between the best-off and the worst-off, which results in the restriction of the liberty the worst-off. Thus, the liberty of all is not secured by his difference principle. Ronald Dworkin's equality of resources emphasizes equality in such a way that equality is prior to liberty. His view of equality seems to ensure the equality and liberty of all. His endowment-insensitive equality can address problems to which Rawls' difference principle is indifferent, but his ambition-sensitive equality allows for an unrestricted inequality between the poor and the rich, whose choices produce their wealth. Inequality caused by individual choice then justifies the limited liberty of the poor by their choice. Therefore, all of the liberal theorists try to protect the liberty of all, but it is my position that they fail because liberal theories are only able to protect the liberty of the propertied while they allow for an infringement of the liberty of the propertyless. Liberal theorists work toward protecting the liberty of all, but their theories end up protecting the liberty of the propertied

3.2 Private Property and Liberal Individualism

If liberty is so important for individuals in liberalism, it is really difficult to understand why liberal theorists come to protect only the liberty of propertied individuals. If everyone

should be treated as equal, anything that restricts liberty of all individuals needs to be negated or refuted. However, whenever there is an issue of property, individual liberty is restricted for the preservation of property, although there are different opinions of what kind of property is to be preserved, as I have shown above. When they assert the priority of liberty, what liberal theorists clandestinely support is the importance of individual property rights rather than individual liberty. In a sense, liberal theories covertly justify the priority of individual property over individual freedom. It means that the assumed liberal priority of liberty over equality is an obscuration of the real priority of property over individual freedom. I will argue that such obscuration is the corollary of the liberal understanding of human beings, that is, liberal individualism: human beings as self-interested asocial individuals.

3.2.1 Individual as a self-interested asocial being

It is difficult to define liberalism's understanding of human beings because there is no one definition of liberalism. Instead, there are diverse definitions of liberalism and different developments of liberalism in history. However, there is an overarching theme in the development of liberalism, which is individualism: "The metaphysical and ontological core of liberalism is individualism. It is from this premise that the familiar liberal commitments to freedom, tolerance and individual rights are derived."¹⁰³

Liberalism has a specific conception of individualism: an individual as an asocial and self-interested being. To identify liberal individuals as asocial beings is much too sweeping a label. There are liberal theorists such as John Rawls and Ronald Dworkin who take socialness of

¹⁰³ Arblaster, *The Rise and Decline of Western Liberalism*, 15. David Johnston also contends an individual as the fundamental basis of liberalism by asserting that in liberal theories, "only individuals count", and "everybody counts as one, nobody as more than one," and "everybody [counts] as an agent." David Johnston, *The Idea of a Liberal Theory: A Critique and Reconstruction* (Princeton, N.J.: Princeton University Press, 1994), 18-27.

individuals into consideration. Nonetheless, I identify liberal individuals as asocial beings since liberal theorists deny a constitutive, fundamental role of individual socialness in shaping a human individual. Anthony Arblaster says that liberal individualism regards “the individual as primary, as more ‘real’ or fundamental than human society and its institutions and structures.”¹⁰⁴ According to Bhikhu Parekh, “Liberalism takes the natural physical individual as the ultimate social reality.”¹⁰⁵ Liberal individualism separates individuals from the empirical world and from the society. Liberal individualism, according to Arblaster, is based on the separation between facts and values.¹⁰⁶ With the development of modern science, moral values are detached from the empirical world. According to Iris Murdoch, “Values which were previously in some sense inscribed in the heavens and guaranteed by God collapse into the human will. There is no transcendent reality. The idea of the good remains indefinable and empty so that the human choice may fill it.”¹⁰⁷ The empirical world comes to exist as facts without values; only individuals have values based on their will. Arblaster mentions two reasons why the distinction between facts and values is so important to liberalism: one is moral consensus and the other is individual freedom.¹⁰⁸ The second reason is that “it provides for the idea of the moral autonomy of the individual.”¹⁰⁹ Stated differently, individuals have the freedom to choose their moral life without interference from outside organizations/institutions such as religion, culture, or state. For

¹⁰⁴ Arblaster, *The Rise and Decline of Western Liberalism*, 15.

¹⁰⁵ Bhikhu C. Parekh, "Liberalism and Morality," in *The Morality of Politics*, ed. Bhikhu C. Parekh and R. N. Berki (London: Allen and Unwin, 1972), 81.

¹⁰⁶ Arblaster, *The Rise and Decline of Western Liberalism*, 16. McDonald also points out that “the scientific mentality tends to be individualistic mentality.” Lee Cameron McDonald, *Western Political Theory: The Modern Age* (New York, : Harcourt, 1962), 16.

¹⁰⁷ Arblaster, *The Rise and Decline of Western Liberalism*, 17. Reciting Iris Murdoch, *The Sovereignty of Good* (New York, : Schocken Books, 1971), 80.

¹⁰⁸ Arblaster says, “First it enables liberal moral theory to coexist with science and positivism....[L]iberal moral theory is as scientific as it is possible for such a theory to be, since, like science itself, it insists on a respect for the facts.” That is to say, in terms of moral issues, individuals can work toward agreement based on facts while narrowing down the area of disagreement. As it narrows down the area of disagreement, it increases the possibility of moral consensus. Arblaster, *The Rise and Decline of Western Liberalism*, 18.

¹⁰⁹ Arblaster, *The Rise and Decline of Western Liberalism*, 19.

a long time, community had been a real body, whose moral value overrode individual freedom or autonomy. But after values became separated from facts, the community lost its moral values.

Jeremy Bentham explains the relationship between individual values and the community value in the following way:

The interest of the community is one of the most general expressions that can occur in the phraseology of morals: no wonder that the meaning of it is often lost. When it has a meaning, it is this. The community is a fictitious body, composed of the individual persons who are considered as constituting as it were its members. The interest of the community then is, what is it?—the sum of the interests of the several members who compose it.¹¹⁰

The community has no its intrinsic moral values but consists of the aggregated values of its members. As the community loses its intrinsic moral values, individuals within the community are no longer restricted by its values. The separation between facts and values allows individuals to separate themselves from the empirical world as well as from their society and community.

Liberal individualism sees an individual as a being independent of the world and society.

Therefore, individuals are asocial beings.

Individuals as asocial beings, who are independent of the world and the society, are also separated from their fellows. Everyone is “ultimately alone, above all before the fearful fact of death.”¹¹¹ Through death, individuals are thought to experience ultimate disconnection from their relationship with others whether they are family, relatives, or friends. Individuals are ultimately alone, having no empirical connection with others after death. Individuals are separated from their fellows as well as the world and the society. Individuals are completely asocial beings.

¹¹⁰ Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* (Oxford: Clarendon Press, 1823), ch. 1 para. IV. E. K. Hunt says, “The group was no more than the additive total of the individuals that constituted it.” E. K. Hunt, *Property and Prophets: The Evolution of Economic Institutions and Ideologies*, Updated 7th ed. (Armonk, N.Y.: M.E. Sharpe, 2003), 46.

¹¹¹ Arblaster, *The Rise and Decline of Western Liberalism*, 21.

A completely asocial individual is a being who has its own body. The body denotes the boundary of an individual: “The limits of his body are considered the limits of his self.”¹¹² Individuals “have a right to their preservation, and consequently to meat and drink, and such other things as nature affords for their subsistence.”¹¹³ An asocial individual is a self-interested being in that she has a primary interest in preserving her own body. An asocial individual is thus “an essentially possessive and private being shut up in his own subjectivity.”¹¹⁴ Put differently, an individual is a possessive being in the sense that a man’s life is his property, “not the property of God, or society, or the state.”¹¹⁵ Since a human being is a possessive being, to possess material property is the corollary of human nature. It does not mean that individuals become self-interested beings with the birth of individualism. Instead, it means that an individual is recognized as a self-interested being in a positive way. Liberal theorists agree that “man is naturally self-interested,” while they differ in their view of what individual self-interest brings about.¹¹⁶ That is to say, the fact that human beings are naturally self-interested justifies neither an individual anti-social tendency nor an individual social-harmony tendency. Nonetheless liberal theorists take it for granted that individuals are self-interested beings. For example, Hobbes contends that “every man is enemy to every man” in the state of nature since individuals are self-interested beings.¹¹⁷ Locke quite contrarily argues that though human beings are self-interested, “no one ought to harm another in his life, health, liberty, or possessions” in the state of nature.¹¹⁸ They both agree that human beings are naturally self-interested, though Hobbes asserts that there

¹¹² Parekh, "Liberalism and Morality," 81.

¹¹³ Locke and Shapiro, *Two Treatises of Government*, 111.

¹¹⁴ Parekh, "Liberalism and Morality," 81.

¹¹⁵ Arblaster, *The Rise and Decline of Western Liberalism*, 27.

¹¹⁶ Arblaster, *The Rise and Decline of Western Liberalism*, 42.

¹¹⁷ Thomas Hobbes and J. C. A. Gaskin, *Leviathan* (Oxford ; New York: Oxford University Press, 1996), 84. Chap. 13 sect. 9.

¹¹⁸ Locke and Shapiro, *Two Treatises of Government*, 102. II: 6.

is a direct connection between individual self-interestedness and the state of war, while Locke denies it. But the self-interestedness of individuals plays a positive role in constituting commonwealth. McDonald thus contends that the advent of individualism justifies individual greed as “a universal necessity,” which has been “universally condemned.”¹¹⁹ Liberalism affirms individual self-interestedness.

Liberalism endorses an individual as a self-interested asocial being. Individuals are asocial beings as lonely beings separated from their fellows, society, and the world. Individuals are also self-interested beings whose greed is positively viewed by some liberals or tolerated by others. The view that individuals are self-interested asocial beings has both negative and positive connotations. In a positive sense, on the one hand, it ensures that individuals are equal, without regard to their group identity. Everyone should be treated as equal. In contrast, the view that individuals are asocial self-interested beings neglects social influence and the formation of individual identities and individual production.¹²⁰ Individuals cannot be themselves without any interaction with their fellows, their society, and their culture. When it comes to production, though it is not totally impossible for an individual to make products by herself, every individual is deeply interacting with her fellows and society in production. Neglecting the social dimension of individual identity and production, liberalism has an innate tendency toward absolutizing the freedom and property of certain individuals to the extent that it endorses the infringement of the others’ freedom, specifically, the freedom of the propertyless. It is the corollary of the priority of private property over individual freedom.

¹¹⁹ McDonald, *Western Political Theory: The Modern Age*, 16.

¹²⁰ Social formation of individual identity will be discussed in the next chapter.

3.2.2 The Priority of Private Property over Individual Freedom

The priority of private property over individual freedom is evident in Locke's view of a commonwealth and property. In general, Locke regards life, liberty, and estates as property. The sole end of a commonwealth is protecting private property. If it protects life, liberty, and estates, Locke's view is far from asserting the priority of private property over individual freedom. If, however, a commonwealth is protecting only estates, it endorses the priority of private property over individual freedom.

In terms of property, Locke's position reflects some confusion whether property includes lives, liberties, and estates, or it just designates estates. In some places he identifies property with individual lives, liberties, and estates.¹²¹ Locke asserts, "By property I must be understood here, as in other places, to mean that property which men have in their persons as well as goods."¹²² In the sections dealing with the extent of the legislative power, on the other hand, "he is clearly using property in the more usual sense of lands and goods..., as he is throughout the chapter 'Of Property.'"¹²³ It is thus difficult to decide whether in Lockean property one's person is included or not. Macpherson contends that Locke's ambiguity in defining property displays that he kept two different values. According to Macpherson:

To Locke life was still sacred and inalienable, though labour, and one's 'person' regarded as one's capacity to labour, was a commodity. Locke's distinction between life and labour is a measure of his retention of the traditional values. His confusion about the definition of property, sometimes including life and liberty and sometimes not, may

¹²¹ Locke and Shapiro, *Two Treatises of Government*, 136 (II:87), 155 (II:123), 178 (II:173).

¹²² Locke and Shapiro, *Two Treatises of Government*, 178 (II:173).

¹²³ C. B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford, Clarendon Press, 1962), 198. Locke says, "Men therefore in society having property, they have such right to the goods, which by the law of the community are theirs, that nobody hath a right to take their substance or any part of it from them, without their own consent." Locke and Shapiro, *Two Treatises of Government*, 162-63.

be ascribed to the confusion in his mind between the remnant of traditional values and the new bourgeois values.¹²⁴

For Locke, an individual is a commodity due to his having labor power, but an individual is still a sacred and inalienable being. An individual is a sacred being as well as a commodity. This ambiguity invites all individuals to civil society: “Everyone...is included [in civil society], as having an interest in preserving his life and liberty.”¹²⁵ As property includes individual life and liberty, individuals are under a commonwealth.

While everyone is included in civil society, there are differences between the propertyless individuals and the propertied individuals. While individuals without property are just its members, rulers are those who have property: all individuals exist “as members for purposes of being ruled and only the men of estate as members for the purposes of ruling...[, because the men of estate] are given to the decisive voice about taxation, without which no government can subsist.”¹²⁶ All individuals are under a commonwealth, but only the men of estate control the commonwealth. Therefore, Lockean ambiguity in defining property ends up with a denial of the autonomy of those who have no estate. Macpherson puts this phenomenon as follows:

“The ambiguity about membership concealed (from Locke himself, I have suggested) the contradiction in his individualism, in which full individuality for some was produced by consuming the individuality of others. Locke could not have been conscious that the individuality he championed was at the same time a denial of individuality. Such consciousness was not to be found in men who were just beginning to grasp the great possibilities of individual freedom that lay in the advancement of

¹²⁴ Macpherson, *The Political Theory of Possessive Individualism*, 220. Bourgeois values denote values that are determined by the market. Bourgeois society is “a society in which the relations between men are dominated by the market; in which, that is to say, land and labour, as well as movable wealth and goods made for consumption, are treated as commodities to be bought and sold and contracted for with a view to profit and accumulation, and where men’s relations to others are set largely by their ownership of these commodities and the success with which they utilize that ownership to their own profit.” Macpherson, *The Political Theory of Possessive Individualism*, 162.

¹²⁵ Macpherson, *The Political Theory of Possessive Individualism*, 248.

¹²⁶ Macpherson, *The Political Theory of Possessive Individualism*, 249.

capitalist society. The contradiction was there, but it was impossible for them to recognize it, let alone to resolve it. Locke was indeed at the fountain-head of English liberalism. The greatness of seventeenth-century liberalism was its assertion of the free rational individual as the criterion of the good society; its tragedy was that this very assertion was necessarily a denial of individualism to half the nation.”¹²⁷

Half of the citizens in the nation cannot help but lose their individual freedom, as their autonomy is restricted by a government, which is governed by propertied individuals. Locke thus allows a commonwealth to give disadvantages to propertyless individuals, as they are subordinated by propertied individuals. Lockean private property innately leads to the infringement of individual freedom of the propertyless. While emphasizing the importance of individual freedom and individual sacredness, Locke endorses property ownership as the decisive factor in limiting individual freedom. What Locke reveals in restricting individual freedom of the propertyless is the priority of private property over individual freedom. Liberal individualism is unable to protect individual freedom of all.

3.2.3 Priority of private property over individual freedom and liberal multiculturalism

I have shown that liberal individualism prioritizes private property over individual freedom. What is the implication of the private property prioritization to liberal multiculturalism? Liberal multiculturalism promotes equality between groups and freedom within groups. By promoting equality between groups, liberal multiculturalism can ensure freedom of groups. Contrarily, by promoting freedom within groups without advancing equality, liberal multiculturalism can only partially ensure freedom within groups. In the dimension of group, liberal multiculturalism can promote difference and equality; in the dimension of individuals

¹²⁷ Macpherson, *The Political Theory of Possessive Individualism*, 261-62.

within group, however, it is incapable of promoting even its advertised freedom or difference. For instance, members of a minority group can be easily swayed by their elites, as the members have insufficient resources to participate in the decision-making process of the group. In terms of their individual freedom, without capability equality and least-gap equality members can enjoy only very limited freedom. Liberal multiculturalism thus reveals its inadequacy of protecting and promoting freedom of concrete others.

If liberal multiculturalism has the innate inability to promote freedom within groups and its inability is based on liberal individualism, it needs to find a different foundation, that is, a different understanding of human beings, which reverses the priority of private property over individual freedom and the priority of freedom over equality. In order to substantially promote individual freedom, private property needs to be restricted. In the next chapter, I propose social individuality as a replacement of liberal individualism. The view that human beings are social individuals undergirds restrictions on private property in order to substantially promote individual freedom.

3.3 Conclusion

In this chapter, I have addressed liberalism's purported priority of freedom over equality. Reviewing liberal theorists such as Isaiah Berlin, Robert Nozick, John Rawls, and Ronald Dworkin, I contend that while assuming individual freedom is unrelated, opposed, closely connected, or inseparably connected to equality, they are unable to protect individual freedom without recourse to promoting equality. In addition, I contend that while they seem to claim the priority of freedom over equality, they are in reality advocating the priority of private property over individual freedom. As protecting private property and negating equality, liberal theorists

are able to protect individual freedom of the propertied but not of the propertyless. They cannot protect the individual freedom of all because they do not treat people as equals or as an end in themselves. Their inability to protect the individual freedom of all is the corollary of liberal individualism, viewing individuals as self-interested asocial beings. Liberal individualism has both positive and negative connotations. In a positive sense, liberal individualism enlightens the importance of individuals as an end in themselves without regard to their group identities. On the other hand, in a negative sense, liberal individualism justifies the protection of private property to the extent that freedom of propertyless individuals can be severely restricted. Liberal individualism thus has an innate weakness in protecting the freedom of all individuals, neglecting economic equality, specifically, capability equality and least-gap equality. Therefore, any theory concerning rights, which is based on liberal individualism, is destined to protect the freedom of only some individuals and ignore economic equality. Even liberal multiculturalism is unable to avoid such a destiny: it protects freedom of groups, not freedom of individuals within groups. In order to protect freedom of all, an alternative understanding of human beings is needed, which has not been provided by the liberal individualism of the aforementioned theorists. However, much will be gathered from the subsequent discussion of the literature and constructs of human being as concrete totality.

Chapter 4

Social Individuality and Its Implication for Rights of Concrete Others

I have shown that liberal individualism is unable to protect or substantiate the individual freedom of all. Individual freedom is inextricably connected to capability equality and least-gap equality. Liberal individualism, which presupposes asocial human beings, prioritizes property rights over individual freedom and accordingly denies the constitutive role of equality in promoting the individual freedom of all. To substantiate the freedom of all requires an alternative to liberal individualism. As an alternative view of human beings, I will propose social individuality based on the view that human beings are concrete totalities. Social individuality, with a reconfiguration of the relationship between property rights and individual freedom, will provide the foundation of the rights of concrete others by ensuring economic equality that substantiates individual freedom of all.

Social individuality does not refute that human beings are individuals, but it rejects the view that individuals are asocial beings. An individual can be an asocial being, if an individual shapes and develops herself without constitutive interaction between herself and society. I will argue that to say human beings are asocial beings is untenable. A human being is an individual being and, at the same time, a social being. Social individuality means that individuals as concrete totality are constituted only through a dialectical relationship between the individual and the social. In a dialectical relationship between her individuality and the social, the social plays a fundamental role. I will show that human beings are deeply and broadly social in light of biology, survival, identity formation, and production. Because of the depth and breadth of socialness that constitutes individuality, I will contend that property rights are not absolute rights

but should be restricted to the extent that the every individual can enjoy the basic conditions of human life such as provision of basic needs, education, and medical care.

4.1 Concrete totality as methodology

The concept of concrete totality is the frame within which I understand human beings. This is not just a frame within to understand human beings. That is to say, it is not just an anthropological frame. It is also an epistemological frame for understanding reality. Reality can be understood in three different ways. One can perceive reality through its concreteness. This approach focuses on the distinctiveness of a reality without considering its relationship to its totality as well as its surroundings. Another approach comprehends a reality through its totality and its surroundings without paying due attention to reality per se. These two approaches are inadequate for fully understanding reality, since the two approaches ignore constitutive roles of the other. Concrete totality, the third way to understand reality, incorporates the two discrete approaches. Simply speaking, concrete totality views reality as concrete and whole, thus constituting reality in a dialectical way.

Understanding the concreteness of a reality is not difficult, since reality's concreteness, i.e., its particularity or difference, is well recognized as discussed in the section on liberal multiculturalism. With relation to totality, however, two misunderstandings are possible. One involves the incomprehensible relationship between totality and the concrete (this will be fully discussed later); the other is related to the concept of totality itself. Since the powerful in human history have abused the concept of totality—such as in the case of totalitarianism—in order to manipulate their common people and exclude others, suspicions arise when the concept of totality is used. Such suspicions are based on the view that totality encompasses and delineates

“all aspects, features, properties, relations and processes of reality.”¹ Without a doubt, totality literally means the whole of reality. However, totality can be more specifically understood in an ontological way and an epistemological way. Ontologically, totality as encompassing all aspects of a reality is correct; epistemologically, totality as encompassing all aspects of a reality is not only incorrect but also impossible. In other words, in concrete totality, totality does not denote a complete understanding of an object. Human beings can have only partial images of reality. As a result, the grasped totality is destined to be a partial and parochial identification of reality. In this epistemological sense, human beings are unable to acquire totality. Thus, it is incorrect to say in light of epistemology that totality encompasses all aspects of reality. However, the fact that human beings are epistemologically unable to arrive at the totality of reality does not justify the view that totality of reality is non-existent ontologically. In fact, human beings exist because of the totality of reality, such as society, culture, nature, and the universe that are beyond human episteme. Totality as an ontological concept means that a reality exists even when human beings are able to grasp it in only a partial and limited way. The concept of concrete totality rejects the identification of epistemological totality with ontological totality. Concrete totality is, instead, a concept of reality, approximating its full grasp, rather than blatantly asserting its complete cognition.

The concept of concrete totality is an attempt to bridge between epistemological totality and ontological totality, while refusing the reduction of ontological totality to epistemological totality. If we know all aspects of a reality we then have its totality. However, with a concrete totality, the sum of all aspects of its reality falls short of its whole; aspects of reality are

¹ Karel Kosík, *Dialectics of the Concrete: A Study on Problems of Man and World* (Dordrecht, Holland ; Boston: D. Reidel Pub. Co., 1976), 19.

understood as moments of a reality, which synchronically and diachronically constitute the whole. According to Karel Kosik,

[Concrete totality] implies that every phenomenon can be conceived as a moment of a whole. A social phenomenon is a historical fact to the extent to which it is studied as a moment of a certain whole, that is, to the extent to which it fulfills that two-fold role which makes it a historical fact in the first place: the role of defining itself and of defining the whole; of being both the producer and the product; of determining and being determined; of exposing while being decoded; of acquiring proper meaning while conveying the sense of something else. This interconnectedness and mediatedness of the parts and the whole also signifies that isolated facts are abstractions, artificially uprooted moments of a whole which become concrete and true only when set in the respective whole.²

A moment and a whole cannot be properly understood without considering both. The effort to juxtapose all aspects of reality to understand that very reality is not only impossible but also incomplete: impossible because we cannot recognize all aspects of a reality; incomplete because a part cannot be understood without its relation to the whole. Concrete totality presupposes that the concrete as a moment of its totality is intermediated by and has a constitutive relationship with its totality.

In what way, then, is totality formed in light of concrete totality? Totality is a dialectical relationship between a concrete and a whole. A dialectical relationship of concrete totality “means that the parts not only internally interact and interconnect both among themselves and with the whole, but also that the whole cannot be petrified in an abstraction superior to the facts, because precisely in the interaction of its parts does the whole form itself as a whole.”³ Totality remains non-existent without its constitutive interaction with a moment and vice versa. Neither

² Kosik, *Dialectics of the Concrete*, 22.

³ Kosik, *Dialectics of the Concrete*, 23.

totality nor its moment negates the other in forming a whole. Rather, each sublimates the other in forming a whole. In short, concrete totality is a totality in its dialectical process between a moment and a whole through sublimating the other.

Between a moment and a whole, which one has primacy over the other? Since the very process of forming totality lies at the core of concrete totality, neither a moment nor a whole has primacy: “the question is not whether to recognize the priority of totality over contradictions or vice versa, precisely because such a division strips both totality and contradictions of their dialectical character: without contradictions, totality is empty and static; outside totality, contradictions are formal and arbitrary.”⁴ When either has primacy over the other, they both expose their own problem. By neglecting a whole, a moment becomes an arbitrary abstraction; by ignoring a moment, a whole becomes a false totality.

Three kinds of false totality need to be avoided in order to reach concrete totality: empty totality, abstract totality, and bad totality. First, empty totality is a totality “which lacks reflection, the determination of individual moments, and analysis.”⁵ Empty totality “treats the wealth of reality as an irrational ‘residue’ beyond comprehension.”⁶ Accepting only rational and comprehensible reality as its constituents, it remains a partially concrete, because a rational and comprehensible concrete is equated with totality while an irrational and incomprehensible concrete is excluded from a totality. Second, abstract totality “formalizes the whole as opposed to its parts and ascribes a ‘higher reality’ to hypostatized ‘tendencies.’”⁷ Abstract totality “ignores facts and violates them in the name of a ‘high reality,’” neglecting the concrete as a low,

⁴ Kosik, *Dialectics of the Concrete*, 30.

⁵ Kosik, *Dialectics of the Concrete*, 31.

⁶ Kosik, *Dialectics of the Concrete*, 27.

⁷ Kosik, *Dialectics of the Concrete*, 31.

secondary reality.⁸ Third, in bad totality “the real subject has been substituted by a mythologized subject,” involving “the autonomous movement of structures” such that “totality arises from the interaction of autonomous series of structures” without participation of the concrete.⁹ The concrete is always slave to the totality. In a sense, the concrete is nonexistent. Empty totality, abstract totality, and bad totality all display the broken relationship between a moment and its whole. Specifically, the concrete is neglected, ignored, or negated.

How can concrete totality avoid degenerating into false totality? Most of all, the details of reality, that is, the wealth of reality should seriously be considered. Concrete totality carefully considers the historicity and the objectivity of reality. Kosik delineates the process of understanding concrete totality in this way:

Destruction of the pseudoconcrete, i.e., of fetishist and fictitious objectivity of the phenomenon, and cognition of its real objectivity; further, the cognition of the phenomenon’s historical character which in a peculiar way reveals the dialectic of the unique and of the generally human; and finally, the cognition of the objective content and meaning of the phenomenon, of its objective function and its historical place within the social whole.¹⁰

In order to understand reality as concrete totality, Kosik emphasizes objectivity, historicity, and the interaction between objectivity and historicity. The first process is cognition of real objectivity of a phenomenon. Critical and analytical thinking is required in this cognition of real objectivity. Admittedly, it is impossible to understand, in its literal sense, real objectivity from a phenomenon. Our cognition is always an approximation of real objectivity. In order to have the cognitive approximation of real objectivity, we need to destruct the pseudoconcrete. The

⁸ Kosik, *Dialectics of the Concrete*, 27.

⁹ Kosik, *Dialectics of the Concrete*, 31.

¹⁰ Kosik, *Dialectics of the Concrete*, 30.

pseudoconcrete is either reified as absolute and universal or neglected as nonsense or nonexistent. The pseudoconcrete is formed as the historicity of a moment is neglected. Put differently, it is an ahistorical cognition of a moment. Devoid of the historical sense of a moment, a moment becomes a pseudoconcrete as it is accepted as “the absolute only as non-historical, and thus as eternal, in the metaphysical sense.”¹¹ A historical approach destroys a reified, absolute concrete and relativizes it through unearthing a negated and neglected concrete. This process of destroying the reified and unearthing the neglected helps to work toward understanding the real objectivity of a phenomenon. While concrete totality adopts a historical approach to understand reality, it rejects historicism that “culls the absolute and the universal out of history altogether.”¹² Although a historical approach in concrete totality relativizes the objectivity of a phenomenon, it does not deny the existence of absolute or universal. In concrete totality, the universal and the absolute are understood only through and with relation to history. Rejecting both the ahistorical approach and historicism, concrete totality “considers history to be unity of the absolute in the relative and of the relative in the absolute, a process in which the human, the universal, and the absolute appear both in the form of a general prerequisite and as a specific historical result.”¹³ Considering both a moment and a whole through history as a dialectical process of making a totality, one can approximate a reality as a concrete totality.

¹¹ Kosík, *Dialectics of the Concrete*, 82.

¹² Kosík, *Dialectics of the Concrete*, 82.

¹³ Kosík, *Dialectics of the Concrete*, 82-83.

4.2 Social individuality based on Human beings as concrete totality

4.2.1 Kosik's view of human beings

How can human beings be framed through concrete totality? Let me begin with the relationship between human transhistoricity and historicity. A human being can be a transhistorical being only when she is based on historical reality. Concrete totality does not deny the view that human beings are transhistorical beings. While it acknowledges the possibility of human beings as transhistorical beings, it has a proviso: There is no ahistorical or universal human reality that exists “in the form of an immutable, eternal, transhistorical substance, without relation to history....The universally human is reproduced in every epoch as a particular outcome, as something specific.”¹⁴ It is history that shapes any transhistorical characteristic of human beings. With regard to the relationship between human transhistoricity and historicity, Kosik explains as follows:

Human reality is not a pre-historical or a transhistorical and unvarying substance. It is formed in the course of history. Reality is more than conditions and historical facticity; but neither does it ignore empirical reality. The dualism of transient and emptied empirical facticity on the one hand, and the spiritual realm of ideal values rising independently above it on the other hand, is the mode in which a particular historical reality exists: the historical reality exists in this duality, and its entirety consists of this split.¹⁵

Human reality as a concrete totality contains such duality of the empirical realm and the spiritual realm. Human reality is “the unity of events and their subjects, a unity of events and the process of forming them, a practical-spiritual ability to transcend conditions.”¹⁶ A human being is not

¹⁴ Kosik, *Dialectics of the Concrete*, 83.

¹⁵ Kosik, *Dialectics of the Concrete*, 84.

¹⁶ Kosik, *Dialectics of the Concrete*, 84.

only an “event-formative and history-formative being” but also an “onto-formative being” who has the ability to overcome conditions and his historical form.¹⁷ While human beings are historically shaped, they can overcome their historical form through the process of critical incorporation. Human beings bring the past into the present, criticize and appreciate it, and incorporate it into the present.¹⁸ The past is the basis of self-formation of a human being’s present. By critically incorporating his historical form, a human being can be a transhistorical being in a dialectical sense.

In terms of the relationship between a human being and a system (e.g. social, political, cultural, or economic system), duality is crucial and indispensable. In other words, individuality and socialness together constitute the duality of an individual. On the one hand, human beings belong to and are shaped by a system: “[A human being] does not exist without ‘conditions’ and is a social being only through ‘conditions.’”¹⁹ Conditions constitute who and what a given human being is. A human being becomes a reality as she belongs to a certain system. Without belonging to a certain system, a human being becomes an angelic being or an invisible being in the system. When a human being plays her part she is recognized in the system. She is real as long as she has a certain role within the system, even when she does nothing in it. She is one of the constituents of her family, group, economic system, and political community.

On the other hand, a human being cannot be reduced to conditions or a system. Put differently, a human being can neither be equated with nor a slave to her social, political, cultural, or economic systems. Kosik puts it in the following way:

¹⁷ Kosik, *Dialectics of the Concrete*, 85.

¹⁸ Kosik, *Dialectics of the Concrete*, 85.

¹⁹ Kosik, *Dialectics of the Concrete*, 70.

[A human being] always exists in a system, and being one of its components he is reduced to certain aspects (functions) and to certain (one-sided and reified) forms of existence. At the same time, he is always more than a system, and as man he cannot be reduced to one. The existence of the concrete man spans the distance between his irreducibility to a system and the possibility to transcend it, and his actual location and practical functioning in a particular system (of historical circumstances and relations).²⁰

Even when a human being exists in and through society, her role in her social participation is insufficient to fully represent her reality. Her role is only a part of her reality. Even though she is in the system, it is impossible for the system to subsume her. She is more than what the society recognizes her to be. Her reality exists within a system and at the same time beyond it.

Myriad dualities exist in human reality such as individuality and socialness, immanence and transcendence, animality and humanness, to name a few. Such dualities do not remain in human reality as mere juxtapositions. The dualities are in an active dialectical relationship. A human being, through the dialectical relationships within the duality, is “an onto-formative being.”²¹ That is to say, human beings form reality in history, through “constantly renewing, practically constituting unity of man and world, matter and spirit, subject and object, products and productivity.”²² Kosik defines a human being as “an anthropo-cosmic being” who in history mediates “spirit and matter, culture and nature, man and the universe, theory and action, existents and existence, epistemology and ontology.”²³ A human being constitutes herself through dialectical relationship among a myriad of dualities. In this sense, with relation to duality of socialness and individuality, a human being is both social and individual in her dialectical relationship in forming concrete totality.

²⁰ Kosik, *Dialectics of the Concrete*, 55-56.

²¹ Kosik, *Dialectics of the Concrete*, 137.

²² Kosik, *Dialectics of the Concrete*, 137.

²³ Kosik, *Dialectics of the Concrete*, 137.

4.2.2 Anselm Min's view of human beings

Anselm Min more concretely deals with Kosik's view of a human being as an anthropo-cosmic being. A human being is intrinsically constituted by her cosmic, social, and personal circumstances. He, thus, frames a human being as a moment of cosmic totality, socio-historical totality, and personal totality.²⁴ These three totalities are not of the same rank: Cosmic totality is the ultimate foundation of socio-historical totality and personal totality; socio-historical totality is the constitutive foundation of personal totality.

First, a human being is a moment of cosmic totality. A human being exists in the world which "is an indeterminate totality of already existing things related to one another and interacting in a myriad of ways, some well known or partially known, others only vaguely surmised, still others not even suspected yet operative behind our backs."²⁵ Such a world is called as nature, cosmos, or universe. While we have only a limited ability to understand the full reality of nature, the cosmos, or the universe, human beings are located in cosmos, originated from universe, and survive only within nature. Though unable to survive without the world, human beings are not reducible to mere constituents of nature. They have the ability to objectify nature in such a way as to utilize and manipulate its resources according to their needs. However, nature is utilized and manipulated only "on the basis of its immanent possibilities, and in accordance with its structural requirement."²⁶ Sheer misunderstanding of their place within nature has led human beings to believe they have unlimited ability to transform nature. Human critical consciousness and transformative praxis allow human beings to transcend the world; but

²⁴ Anselm Kyoungsook Min, "Praxis and Liberation: Toward a Theology of Concrete Totality" (Ph.D. dissertation, Vanderbilt University, 1989), 91-120.

²⁵ Min, "Praxis and Liberation," 91.

²⁶ Min, "Praxis and Liberation," 94.

such transcendence is only a moment of cosmic totality. Emphasizing the immensity of cosmic totality, Min explains it in the following way:

Nature or cosmos is not reducible to the merely material as in scientific positivism, for it also includes the element of self-transcendence and self-consciousness in human, however limited this might be. Nature includes both continuity of evolutionary history and interaction of intrinsically related beings on the one hand and discontinuity of the novum and irreducible transcendence on the other, both of which are moments within nature as totality, which therefore contains principles of otherness and transcendence within itself.”²⁷

A cosmic human being experiences cosmos as totality that is beyond her manipulation and grasp because of its immensity and transcendence. The fact that a human being is a cosmic being, existing within cosmic totality, limits the boundary of viable anthropology. Human ability of transformation and transcendence is not infinite or boundless; rather, what human does and can do belongs to cosmic totality.

A human being as a moment of cosmic totality is mediated by a moment of socio-historical totality. A human being as a cosmic being is constituted by a socio-historical being: “Our physical, intellectual, aesthetic, and religious relations to the cosmos are mediated by our economic, political, and cultural struggles and categories in the social world.”²⁸ Both cosmic existence and socio-historical existence are moments of concrete totality; but, cosmic existence is more fundamental than social existence. “[C]osmic existence constitutes the ultimate source, limit, and condition of our social existence,” while cosmic existence is shaped and defined “through the mediation of our social existence.”²⁹

²⁷ Min, “Praxis and Liberation,” 94.

²⁸ Min, “Praxis and Liberation,” 95.

²⁹ Min, “Praxis and Liberation,” 96.

Human beings as socio-historical beings are born into a social world wherein they have “innumerable relationships with their fellows, their families, their clans and tribes, their friends and enemies, their economic, political, and cultural communities and institutions, each with a particular structure and at a particular stage of historical development.”³⁰ A human being is located in such a social world as a moment of socio-historical totality. The social world as a concrete totality is this:

Society is “concrete” in the sense that it is internally differentiated into “relatively” autonomous spheres of activity as well as groups and classes, each of which is at the same time intrinsically related to one another and shapes itself in a dialectic contradiction and reconciliation in relation to both other parts and the whole. Society is a “totality” in the sense that it is both the a priori condition for the process or “becoming” of the parts and the a posteriori result shaped in its turn by such becoming, often collapsing as a totality as when it could no longer sustain the conflicts and contradictions among its parts.³¹

A human being as a moment of socio-historical totality is located in such a social world as concrete totality. A human being is shaped through the social world that is in a dialectical relationship with contradiction and reconciliation of many conflicting conditions and factors.

In the social world, the economic condition is a central factor constituting human existence. The economic condition is important in three ways. Firstly and most important, human existence is fundamentally dependent on economic and material conditions. In other words, without material provisions human beings cannot exist. A human being can survive only when she has at least enough food, drinkable water, appropriate clothing, safe shelter, adequate medical service, and the like. Secondly, the economic condition is also crucial for a human being

³⁰ Min, “Praxis and Liberation,” 96.

³¹ Min, “Praxis and Liberation,” 106.

because it creates “the sphere of social interdependence.”³² Economic conditions make individuals depend on one another. Because of her economic interdependence on other human beings, for instance, a person can be located in the production system as an unskilled worker, a skilled worker, or a capitalist, to name a few options. She plays her proper role in producing social wealth, which benefits human beings in general. Human beings are dependent on one another in organizing and operating the economic system conducive to all. The economic condition, thirdly, affects power relationships and cultural formation.³³ Political inequality and cultural (de)formation are closely related to economic conditions as I have explained in chapters 2 and 3. The economic condition is a totalizing factor in socio-historical totality. The economic condition as a totalizing factor does not mean that human beings are determined exclusively by socio-historical totality. Rather, it means that without the constitutive role of socio-historical totality, human beings are unfathomable.

A human being is a personal totality, that is to say, an individual. When considered in relation to concrete totality, an individual human being is not a starting point. That is because a human being is an individual with the proviso that a personal totality is subordinated to and mediated by socio-historical totality and cosmic totality. In other words, personal totality as the unity of body and soul, matter and spirit, and transcendence and immanence should be considered in light of socio-historical totality and cosmic totality. A human being is different from an animal or an angelic being in that a human being has the potentiality of being a human: “This potentiality, defined as rational animality, is further analyzed in terms of such powers as intellect, rational and irrational appetites, emotion, and sense.”³⁴ But potentiality is only

³² Min, “Praxis and Liberation,” 108.

³³ Min, “Praxis and Liberation,” 109.

³⁴ Min, “Praxis and Liberation,” 110.

potentiality. If the human potentiality is not actualized in an individual human being, we are unable to distinguish the being from an animal or other living being. Actualization of potentiality is crucial in order for a human being to concretely exist. Where then is the human potentiality actualized? According to Anselm Min,

It is only by being-in-the-world-as-this-concrete-totality that the potentiality of human nature becomes actual. Humans are “in” the world, not like chairs in a room but more like fish in the water. The “in” does not primarily denote a spatial but an ontological relationship to the world as an internal, constitutive condition of human existence. The potentialities of intellect, will, emotion, instinct, and sense are intrinsically “intentional” or related to objects in a socio-historical totality and become actual – discovered, developed, or underdeveloped, distorted – only through their mediation. That is, human nature is both actual and intelligible only as the nature of a human being whose “essence” lies not in abstract human nature or individual “existence” (Heidegger) but in social existence as a concrete totality.³⁵

Actualization of human potentiality happens in and through socio-historical totality. Human beings cannot be human beings without being exposed to and having interaction with socio-historical totality. I will more concretely discuss how socio-historical totality affects an individual human being when I deal with a human being as a social being. Suffice it to say here that personal totality is mediated by socio-historical totality.

In understanding a human being as personal totality, recognizing a human being as an individual, there are three pitfalls. The first one is sociological determinism, which renders a human being “infinitely malleable,” with no “determinate characteristics,” determined by social influence.³⁶ In this case, a human being as an individual is unrecognizable, since sociological determinism reduces an individual human being to the social as if an individual is shaped and

³⁵ Min, “Praxis and Liberation,” 111.

³⁶ Min, “Praxis and Liberation,” 112.

manipulated exclusively by the social. Without their distinctive individuality, individuals are lumped together along the line of social, economic, cultural, political identities. Sociological determinism is in line with Kosik's bad totality, since it mythologizes the subject by regarding the social as the overriding subject in relation to the individual. While it is true that an individual is unable to make significant changes to her social conditions, Min points out that "the person is no merely passive recipient of external influences like a cog in a machine."³⁷ The second pitfall is idea of the priority of an individual human being over the social. In this case, the social is reduced to the individual human being.³⁸ Society is the sum of human individuals. Quite contrary to the first pitfall, this one sees the social as infinitely malleable since it regards society as shaped by human individuals and totally dependent upon human individuals who constitute it.

Individuals are "already developed and mature in their isolation, coming together to associate with one another and form a society out of pure individual wills."³⁹ The view that the social is infinitely malleable is in line with abstract totality, to use Kosik's word, that a human being is abstracted and absolutized in such a way that society is determined by its constituting individuals. The third pitfall posits a dualism between a human being and society. In this view, the individual and society are "mere juxtaposition, externality, and equality between the two."⁴⁰ For human beings, in this case, society is no more than "secondary, accidental or extrinsic additions," without which they already have complete totality.⁴¹ Individuals engage in society entirely on a voluntary, non-essential basis. As Kosik states, it is an empty totality, or more exactly an

³⁷ Min, "Praxis and Liberation," 120.

³⁸ Min, "Praxis and Liberation," 117.

³⁹ Min, "Praxis and Liberation," 118.

⁴⁰ Min, "Praxis and Liberation," 118.

⁴¹ Min, "Praxis and Liberation," 118-19.

insufficient totality, which denies the crucial role of intrinsic and constitutive social existence in the shaping of personal totality.

These three pitfalls ignore the dialectical relationship that individuals have with the social. On the one hand, in light of concrete totality a human being is an individual, forming her concrete personal totality. On the other hand, a human being is a social being, forming her concrete personal totality thoroughly based on the social. A human being as an individual and a social being denies two views: that the social has a unilateral impact on an individual or vice versa, and that the social and the individual are juxtaposed. The individual and the social have a dialectical relationship in forming concrete personal totality. A human being as concrete totality is an individual and social being in a dialectical relationship. I would call this understanding of human beings social individuality.

4.2.3 Human beings as social beings

Social individuality refutes the view that human beings are asocial individuals. Human beings are social individuals. In terms of the view that human beings are social beings, what is the evidence? If human beings are social individuals, what is the depth and breadth of human socialness? I will show that human beings are social biologically, existentially, and identity-formationally, which reveals the depth of human socialness. I will also demonstrate that human beings are globally interdependent, which indicates how breadth of human socialness. I will also deal with the relationship between individuality and socialness of an individual human being.

What makes human beings social beings? What is the concrete, observable basis of the assertion that a human being is a social being? In order to answer these questions, I am going to compare human beings and other higher mammals.

Human species belong to the classification of higher mammals. Though having species specific characteristics, humans share at least two characteristics that other higher mammals have: loving care and precocial-ness. The most conspicuous common characteristic of mammals is “loving care of the young and nursing.”⁴² Like human beings, parents of higher mammals care for their newborns until the newborns can survive independently. The other common characteristic of higher mammals is precocial-ness. According to Adolf Portmann,

Newborns of all highly organized mammalian groups are precocial, and their sensory organs are well developed and capable of functioning. In form, apart from some slight proportional deviations, particularly in the size of the head, these newborns are miniature versions of the mature form, and their behavior and locomotion are to a large extent the same as their parents’. The infant also has command of the means of social communication that are typical for its species. This is the state at birth for ungulates, seals, and whales, as well as for anthropoids⁴³

Newborns of higher mammals possess a shape similar to their parents, species specific behavior, and social communication skill. Like many mammal newborns, human newborns are precocial, which means that they have developed the central nervous system through a long gestation period.⁴⁴

Although being precocial like other higher mammals, human beings also have differences. The noticeable difference between human newborns and other newborn mammals is that it takes one year for human newborns to attain “the degree of formation in keeping with its species that a true mammal must have already realized by the time of its birth.”⁴⁵ In other words, “at birth, the human has not yet attained the type of movement, the body posture, or the power of

⁴² Adolf Portmann, *A Zoologist Looks at Humankind* (New York: Columbia University Press, 1990), 19.

⁴³ Portmann, *A Zoologist Looks at Humankind*, 50.

⁴⁴ Portmann, *A Zoologist Looks at Humankind*, 80.

⁴⁵ Portmann, *A Zoologist Looks at Humankind*, 51.

communication typical for its species at maturity.”⁴⁶ In this sense, while human beings are basically a precocial type, Portmann contends that human beings are a secondarily altricial type, since human newborns during their first year should have developed crucial capacities that are already developed in other mammals at birth.⁴⁷ Considering that the true mammalian mode is literally a precocial type, Portmann asserts that human “pregnancy would have to be longer than it is by about that one year; it would have to last for about twenty-one months.”⁴⁸ Portmann, thus, accentuates that human newborns, before they should have developed their crucial capacities, are exposed to the open world other than their mothers’ closed, inner womb. The open world to human newborns is not the world of nature, but the unnatural, social world.

What happens in the first year of human newborns after their birth when they are prematurely exposed to the social world? The first year is the duration for “the attaining of erect posture, the learning of an actual verbal language, and the entrance into the realm of technical thinking and behaving.”⁴⁹ This happens when human newborns are exposed to their social environment. While other higher mammal newborns learn species specific behaviors in a natural environment, human newborns learn the behaviors in an unnatural, social environment. In addition, the way to acquire species specific behavior differentiates human beings from other mammals. Unlike other mammals who develop their species specific behaviors “simply through practice, using a predisposition already inherent in the structure,” human newborns develop such species specific behaviors, “through special acts of striving, learning, and imitation peculiar to the organism.”⁵⁰ In human attainment of species specific behaviors, Portmann emphasizes the

⁴⁶ Portmann, *A Zoologist Looks at Humankind*, 82.

⁴⁷ Portmann, *A Zoologist Looks at Humankind*, 57.

⁴⁸ Portmann, *A Zoologist Looks at Humankind*, 51.

⁴⁹ Portmann, *A Zoologist Looks at Humankind*, 82.

⁵⁰ Portmann, *A Zoologist Looks at Humankind*, 83.

importance of mimicking. In terms of language and insightful behavior, human newborns start simple mimicking sounds and gestures, but they gradually acquire speech and insightful behavior.⁵¹ Without other adult members of their own species to mimic, human newborns can hardly acquire species specific behaviors. Thus, the fact that human newborns learn their species specific behaviors through mimicking presupposes an already established unnatural circumstance, unlike mammals who acquire their species specific behaviors through simple practice using their inherent locomotion and predisposition. Portmann also points out the differences between human language and animal sounds. While human language is categorized as signs, animal sounds fall short of being categorized as signs, with which human beings can “describe [their] perceptions, judgments, wishes, and so on.”⁵² Though animal sounds are “expressions of inner states,” they have no “organized structures of sound and sign appearing in various meaningful combinations.”⁵³ That human speech has an organized structure of sound and sign presupposes an already established system of communication.

The first year for newborn mammals is an adaptation period to the natural world; for human newborns, the first year is a period of being shaped socially, which is far from adapting to the natural world. Portmann says that “one becomes aware, from the very beginning, of the extent to which these human qualities of posture, language, and behavior are phenomena with a social stamp, and it becomes obvious how much circumstances of social contact contribute to their formation right from the outset.”⁵⁴ He, thus, summarizes the first year for human newborns as follows:

⁵¹ Portmann, *A Zoologist Looks at Humankind*, 89.

⁵² Portmann, *A Zoologist Looks at Humankind*, 87. Reciting Geza Révész and J. Butler, *The Origins and Prehistory of Language* (New York: Longmans, 1956).

⁵³ Portmann, *A Zoologist Looks at Humankind*, 87.

⁵⁴ Portmann, *A Zoologist Looks at Humankind*, 92.

In humans, maturation processes, which did indeed begin within the mother's body, go through their most important phases in combination with the experiences offered by a much richer environment with many sources of stimulation to the organism capable of development. Thus, in humans, courses of events ordained by natural law take place during the first year of life not in the all-purpose environment of the womb but under unique circumstances; each phase of postpartum life intensifies this uniqueness by increasing the possibilities for divergent, individual situations. And so it is that already during its first year of life, the human child is subject to the laws of "history," at a time when the human as a true mammal would still have to be developing within the darkness of the womb, in conditions governed exclusively by natural law.⁵⁵

The unnatural, social world with the law of human history shapes human newborns in the first year. A human being is, from the beginning, shaped by unnatural, socio-historical reality. While this does not mean that a human being is quarantined from natural reality, suffice it to say that a human being is a social being biologically.

Compared to Portmann, who renders human beings as secondarily artificial beings, Arnold Gehlen regards human beings as deficient beings. Portmann emphasizes social influence on human newborns; Gehlen accentuates the lack of ability for human beings to survive in their natural states. According to Gehlen,

In terms of morphology, man [sic] is, in contrast to all other higher mammals, primarily characterized by deficiencies, which, in an exact, biological sense, qualify as lack of adaptation, lack of specialization, primitive states, and failure to develop, and which are therefore essentially negative features. Humans have no natural protection against inclement weather; we have no natural organs for defense and attack but yet neither are our bodies designed for flight. Most animals surpass man as far as acuity of the senses is concerned. Man has what could even be termed a dangerous lack of true instincts and needs an unusually long period of protection and care during his infancy and childhood.

⁵⁵ Portmann, *A Zoologist Looks at Humankind*, 91.

In other words, under natural conditions, among dangerous predators, man would long ago have died out.⁵⁶

Human beings are deficient beings who have difficulty in surviving with what they have biologically. In order to survive, human beings re-create nature as is evident in the human world and human society which exists with weapons, fire, artificial food, shelter, and cooperation.⁵⁷ This re-created, restructured nature which becomes the “second nature” of human beings, Gehlen calls culture. It is second nature for human beings because culture as an unnatural human construction “exists for man in exactly the same way in which the environment exists for an animal.”⁵⁸ Through culture, human beings “convert the disadvantages of their initial biological condition into advantages.”⁵⁹ Culture is the result of human beings as deficient beings and, at the same time, the foundation of the existence of human beings, without which human beings can neither survive nor exist. Culture becomes indispensable for human beings. Gehlen, thus, asserts that “man is a cultural being.”⁶⁰ For Gehlen, culture is a broad concept: “Culture is thus firstly the totality of physical and intellectual means and techniques including institutions by which a specific society ‘maintains itself;’ secondly, it is the totality of all resulting institutions based on it.”⁶¹ His view of culture encompasses what we call society. In this vein, a cultural being is interchangeable with a social being. A human being, for Gehlen, is a social being existentially.

A human being is a social being biologically as well as existentially. If a human being, like Robinson Crusoe, was left alone on an island as a newborn baby or an infant, she could

⁵⁶ Arnold Gehlen, *Man, His Nature and Place in the World* (New York: Columbia University Press, 1988), 26.

⁵⁷ Gehlen, *Man, His Nature and Place in the World*, 29.

⁵⁸ Gehlen, *Man, His Nature and Place in the World*, 29.

⁵⁹ Wolfhart Pannenberg, *Anthropology in Theological Perspective*, 1st ed. (Philadelphia: Westminster Press, 1985), 39.

⁶⁰ Gehlen, *Man, His Nature and Place in the World*, 72.

⁶¹ Gehlen, *Man, His Nature and Place in the World*, 72.

hardly be a human being with species-specific behavior that a social being exhibits. She would probably die or survive as a non-human higher mammal. Such a non-social higher mammal is different from a human being as a social being. A human being is shaped in and through a society. According to George Mead, it is evident that as human beings “who and what we are develops from the outside in rather than from the inside out.”⁶² He emphasizes the social in shaping the individual identity of human beings.

As society and culture are essential and indispensable for human beings in their development and survival, social influence seems to unilaterally determine their individual identity. It then raises a question of individual identity. Though an individual is a social being, without doubt, she can recognize herself as a being irreducible to purely external social determination. Mead is one who tries to address the issue of the relationship between the individual and the social. For Mead, an individual recognizes herself through society: “The individual experiences [her]self as such, not directly, but only indirectly, from the particular standpoints of other individual members of the same social group, or from the generalized standpoint of the social group as a whole to which [s]he belongs.”⁶³ An individual recognizes and objectifies herself through her social relationships. In recognizing and objectifying herself, communication plays a crucial role: An individual “talks and replies to [her]self as truly as the other person replies to [her].”⁶⁴ Recognizing oneself presupposes a social and linguistic process. The self, the recognized individual self by herself, “is essentially a social structure, and it arises in social experience.”⁶⁵ For Mead, social influence is the decisive factor in understanding an

⁶² Filipe Carreira da Silva, *G.H. Mead : A Reader* (Cambridge, UK: Polity Press, 2007), 28.

⁶³ George Herbert Mead, *Mind, Self, and Society from the Standpoint of a Social Behaviorist* (Chicago, Ill.: The University of Chicago press, 1974), 138.

⁶⁴ Mead, *Mind, Self, and Society*, 139.

⁶⁵ Mead, *Mind, Self, and Society*, 140.

individual as the self. But, Mead does not accept the view that social influence is unilaterally shaping an individual self.

Mead uses the concepts of the 'I' and the 'me' as phases of the self, in order to show that an individual self is not unilaterally shaped by a society.⁶⁶ The self is "an ongoing social process with two distinguishable phases, the 'I' and the 'me'."⁶⁷ The 'I' and the 'me' are separated in forming the self but they belong together to the self.⁶⁸ Mead explains the relationship between the 'I' and the 'me' in terms of functions such as self-reflection and action. In self-reflection, "[t]he phase of the self which remembers is the 'I,' the phase of the self which is remembered is the 'me.'"⁶⁹ The 'I' is "the spokesman of the self of the second, or minute, or day ago," whereas the past 'I' is the 'me.'⁷⁰ In this sense, the 'I' is a subject of self-reflection; the 'me' is an object of self-reflection. The 'I' is also differentiated from the 'me' as a subject of action. The 'I' becomes a subject of action, responding "to the attitudes of the others; the 'me' is the organized set of attitudes of others which one himself assumes."⁷¹ Mead ascribes an active function to the 'I,' while associating the 'me' with passive function.

When the 'I' responds to others there is always, uncertainty, unpredictability, and novelty. Such indeterminacy of individual response is the reason why Mead denies the unilateral influence of the social on the individual. According to Mead, even the self cannot predict the response of the 'I'.⁷² In terms of the unpredictability of the response, Mead says,

[Response] is the answer which the individual makes to the attitude which others take toward him when he assumes an attitude toward them. Now, the attitudes he is taking

⁶⁶ Mead, *Mind, Self, and Society*, 192.

⁶⁷ Silva, *G.H. Mead : A Reader*, 51.

⁶⁸ Mead, *Mind, Self, and Society*, 192.

⁶⁹ Silva, *G.H. Mead : A Reader*, 51.

⁷⁰ Mead, *Mind, Self, and Society*, 174.

⁷¹ Mead, *Mind, Self, and Society*, 175.

⁷² Mead, *Mind, Self, and Society*, 175.

toward them are present in his own experience, but his response to them will contain a novel element. The 'I' gives the sense of freedom, of initiative....We are aware of ourselves, and of what the situation is, but exactly how we will act never gets into experience until after the action takes place.⁷³

Mead emphasizes the separation of the 'I' from the 'me' and of the unpredictable response of the 'I' from the social influence on the 'I'. Such separation of the 'I' and the 'me' is understandable since without the separation there are neither conscious personal responsibilities nor personal novel responses.⁷⁴ At first, Mead starts his view of self as social construction and reflection. But, he ends up emphasizing the autonomous role of the 'I' in the self. As he points out, individual responses to others are no doubt unpredictable without the autonomous role of the 'I'. But, it is not evident whether such an autonomous role of the 'I' is sustainable in his view of the socially constructed self.

Pannenberg questions the possibility of the 'I' unmediated by society and social relations.⁷⁵ For Mead, the 'I' and the 'me' are the phases of the self that are mediated through social relations. The self is the picture of an individual by the generalized other (in this sense, the 'me' is not different from the self), while the 'I' is a subject of self-consciousness and response to others. Through self-consciousness, the 'I' recognizes the self. What is interesting is that the self, recognized by the 'I', is the same self that is pictured by the generalized other. The same self is recognized by both the 'I' and the generalized other. This is to say that the 'I's act of self-reflection is identical with the picture by the generalized other. If this is true, how can the 'I' be different from the generalized other? Such identification of the self by both the 'I' and the generalized other is impossible without presupposing the influence of the society to the 'I.' In

⁷³ Mead, *Mind, Self, and Society*, 177-78.

⁷⁴ Mead, *Mind, Self, and Society*, 178.

⁷⁵ Pannenberg, *Anthropology in Theological Perspective*, 189.

constituting the self, in addition, development of the ‘I’ is taken for granted. Without the development of the ‘I,’ there will be no development of the self. How then does the ‘I’ develop itself? One answer is the dialectical relationship between the ‘I’ and the ‘me’. In this case, the ‘me’ is society’s picture of an individual. In its own development, then, the ‘I’ is unable to be free from social influence.⁷⁶ In Pannenberg’s view, the ‘I’ is mediated by social relations. In its self-consciousness and its development, the ‘I’ is unable to be free from social influence.

While Pannenberg accepts that the ‘I’ is mediated by society, he does not deny the creative role of the ‘I’ in identity formation. For instance, if the ‘I’ “does not ‘accept’ the social self and thus falsifies its claim to be integrative,” the ‘I’ can modify “the classification and expectations” assigned by others.⁷⁷ Although he assigns the ‘I’ an identity modification role, he minimizes the autonomic role of the ‘I’ and accordingly does not approve of a socially unmediated ‘I’. He, thus, shows that in their identity formation human beings are thoroughly affected by the social.⁷⁸

In a similar vein, Saba Mahmood contends an individual is produced through social relations, rather than precedes them. Following Judith Butler and Michel Foucault, Mahmood regards a social relationship as a power relationship “that permeates life and is productive of new forms of desires, objects, relations, and discourses.”⁷⁹ Mahmood alludes to the view that “the set of capacities inhering in a subject—that is, the abilities that define her modes of agency—are not

⁷⁶ “[N]ot only [the ‘me’] but also [the ‘I’] is always mediated to itself through social relations. In particular, the unity of [the ‘me’] and [the ‘I’] cannot be understood unless [the ‘I’] too is conceived as the product of a developmental process that is conditioned by social relations.” Pannenberg, *Anthropology in Theological Perspective*, 189.

⁷⁷ Pannenberg, *Anthropology in Theological Perspective*, 223.

⁷⁸ In a similar vein, John Christman a human self is a socio-historical self. See John Philip Christman, *The Politics of Persons: Individual Autonomy and Socio-Historical Selves* (Cambridge ; New York: Cambridge University Press, 2009), 10.

⁷⁹ Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, N.J.: Princeton University Press, 2005), 17.

the residue of an undominated self that existed prior to the operations of power but are themselves the products of those operations.”⁸⁰ Society, thus, “constitute[s] the very substance of [an individual’s] intimate, valorized interiority.”⁸¹ Mahmood argues convincingly that individuals are thoroughly shaped by society.

Human beings are social beings biologically, existentially, and even in their identity formation. Biologically, human beings develop themselves through their mimicking within their social environment. Existentially, human beings can survive with the help of already established social structures. In their identity formation, human beings are constantly affected by social contacts. The nature of human beings shows how deeply social human beings are.

Considering the depth of socialness of human beings, human beings can be separated and grouped by their languages and cultures. The depth of socialness may justify the view that human beings are affected by only an immediate group or society, such as their extended family, their tribe, and their own language group, to name a few. Thus, some might assert that human beings are not social beyond the boundary of extended family, tribe, or language group. If human beings do not share the same language and culture they have no common social denominator that can lump them together as the same kind of social beings. In addition, while there are some interactions among language groups and cultural groups in such a way as to modify some features of their languages and cultures, such modifications are very limited. The core structure of languages and cultures will remain unchanged as long as the groups preserve them. In light of language and culture, there is social discontinuity among human beings. Considering such a discontinuity, human beings are social beings fractured by languages and cultures. But, human beings as social beings have not only depth but also breadth of socialness.

⁸⁰ Mahmood, *Politics of Piety*, 17.

⁸¹ Mahmood, *Politics of Piety*, 23.

The breadth of socialness of human beings is related to their production. Human beings are social beings in light of production. Individual human beings have survived as they exchanged what they produced with other human beings. Karl Marx puts it this way:

The human being is in the most literal sense a ζῷον πολιτικόν, not merely a gregarious animal, but an animal which can individuate itself only in the midst of society. Production by an isolated individual outside society – a rare exception which may well occur when a civilized person in whom the social forces are already dynamically present is cast by accident into the wilderness – is as much of an absurdity as is the development of language without individuals living together and talking to each other.⁸²

In production, human beings are interconnected and interdependent with one another and their society. Unlike the biological, existential, and identity formative nature of human beings, the productive nature of human beings reveals different dimensions of social beings. It reveals how broadly social they are and that human beings are not restricted by their immediate groups. Throughout their history humans have established immediate self-sufficient communities, such as extended families, regional communities, and polities. Human beings have been social beings within their unique and restricted community as they produced and distributed their products within each group's limited boundary. Through specialized productions, however, human beings have extended the boundary of their self-sufficient communities. In other words, individual human beings belong not only to their immediate communities but also to wider communities. Reinhold Niebuhr puts it in this way:

[Human beings] have never been individually self-sufficient; but older pastoral and agrarian societies had smaller units of self-sufficiency than are possible today. Every

⁸² Karl Marx, *Grundrisse. Foundations of the Critique of Political Economy*, trans., Martin Nicolaus (New York, Random House, 1973), 84.

specialization of unique gifts in the life of the individual, every elaboration of special skills means that a larger community is required to support the individual. It also means that instruments and skills are created which can bind a larger community together in one unit of cooperation....⁸³

As skills are differentiated and specialized, human beings need larger and broader communities to operate their specialized skills and works. Diversification of jobs is proof that human beings belong to and are incorporated into a larger community. Human beings have expanded the boundary of production and consumption to the extent that we now refer to a global economy for all with rare exceptions for reclusive groups.

According to Thomas Pogge, human beings have a worldwide connection on three different grounds. He explains that connection by means of three types of injustice: “the effects of shared social institutions, the uncompensated exclusion from the use of natural resources, and the effects of a common and violent history.”⁸⁴

First, human beings around the globe share social institutions. These institutions are “shaped by the better-off and imposed on the worst-off.”⁸⁵ These institutions decide the price of primary goods, allocate natural resources, and maintain international relationships among nations. The survival of the global poor “often crucially depends on our consumption choices, which may determine the price of their foodstuffs and their opportunities to find work.”⁸⁶ The corruption of many developing countries, whose power is based on natural resources and military power, are

⁸³ Reinhold Niebuhr, *The Children of Light and the Children of Darkness* (New York: C. Scribner's sons, 1944), 54-55.

⁸⁴ Thomas Winfried Menko Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* (Cambridge ; Malden, MA: Polity, 2002), 199.

⁸⁵ Pogge, *World Poverty and Human Rights*, 199.

⁸⁶ Pogge, *World Poverty and Human Rights*, 199.

closely related to the manipulation of affluent countries, such as bribes and the international arms trade.⁸⁷

One of the most powerful forces controlling the world's people and economy today comes under the group heading of transnational corporations (TNCs). TNCs subsume almost all human beings under one global economy. Without a doubt, TNCs aim at making a high-profit. Reducing labor costs is the most efficient way to ensure high-profits. TNCs make desperate efforts to find cheaper labor costs and their efforts result in expanding the social boundaries of human beings. TNCs move their manufacturing factories from their original place to wherever they can secure cheaper labor. The Export Processing Zone (EPZ) is the place where cheaper labor is present and products of TNCs are made.⁸⁸ EPZs are located in poor countries. As people in wealthy countries use TNCs' products, they become interdependent on those who are in the EPZs of poor countries. When TNCs move their factories to poorer countries to get cheaper labor, consumers of the TNCs' products are interdependent on people in the poorer countries. The movement of TNCs' factories broadens the socioeconomic relations of human beings.

Second, from their birth, the global poor are excluded from the use and compensation of natural resources. For instance, while affluent people use natural resources such as oil, the payment for them goes to the elites, not to the poor, of oil exporting countries.⁸⁹ Considering environmental pollution, the global poor share the burdens of consumption of natural resources "while having to watch helplessly as the affluent distribute the planet's abundant natural wealth amongst themselves."⁹⁰

⁸⁷ Pogge, *World Poverty and Human Rights*, 200.

⁸⁸ Klein, *No Logo: No Space, No Choice, No Jobs*.

⁸⁹ Pogge, *World Poverty and Human Rights*, 202.

⁹⁰ Pogge, *World Poverty and Human Rights*, 203.

Third, the global poor are thrown into devastating circumstances which “are significantly shaped by a dramatic period of conquest and colonization, with severe oppression, enslavement, even genocide, through which the native institutions and cultures of four continents were destroyed or severely traumatized.”⁹¹ While human history has created social wealth and goods, they have come with systematic violence, which has led to global inequality. The fact that innumerable people throughout many generations of history have been affected by colonialism, oligarchic international systems, and the maldistribution of natural resources and wealth demonstrates how broadly human beings are connected by social interactions.

In the global world, as I explained in Chapter 1, we witness “stretched social relations” across nation-state boundaries, “intensification of flows,” and “the emergence of global infrastructures and networks.”⁹² In today’s world almost all human beings are interconnected and interdependent on one another through global socio-economic and political networks. We are social beings whose connections are broad enough to include us all in one global system.

I have explained the depth and breadth of socialness of human beings. Michael Hardt and Antonio Negri point out the social nature of human beings. According to Hardt and Negri, nearly all human beings live within a biopolitical world that controls every facet of human life, including economic, cultural, and political life. The biopolitical world, “subsumed within a power that reaches down to the ganglia of the social structure and its processes of development, reacts like a single body. Power is thus expressed as a control that extends throughout the depths of the consciousnesses and bodies of the population – and at the same time across the entirety of

⁹¹ Pogge, *World Poverty and Human Rights*, 203.

⁹² David Held, *A Globalizing World?: Culture, Economics, Politics*, 2nd ed. ed. (London: Routledge in association with the Open University, 2004), 15-17.

social relations.”⁹³ No human being can escape from and remain unaffected by the biopolitical world, i.e., Empire. That is to say, human beings are thoroughly social beings beyond territory and relational boundaries.

Individuals are deeply and widely influenced by the social as Hardt and Negri indicate. Social individuality thus indicates that the social plays a very constitutive role in shaping individual identity, individual capacity, individual production, and individual freedom. Though the individual and the social have a dialectical relationship with each other, social individuality emphasizes the foundational role of socialness. Without the social, an individual human being is unable to be a member of the human species. Compared to liberal individualism, social individuality prioritizes the social over the individual. Nonetheless, social individuality does not deny the individuality of social individuals. It is because the social in its configuration and reconfiguration is also affected by the individual. Negation of the individual means petrification of the social, the petrification which would lead to the demise of the social as well as the individual. Social individuality rejects the petrification of the social. While individuality is inseparable from the social, an individual can have a transcendent moment beyond as well as within the social: A transcendent moment moves beyond the social because an individual reveals novelty in responding to the social; a transcendent moment is within the boundary of the social since the novel response takes place within society and reconstitutes it, either visibly or invisibly. Social individuality, therefore, views a human being as an individual in a dialectical relationship between the individual and the social, acknowledging the crucial, constitutive role of the social and, at the same time, the non-negligible role of the individual, which remains irreducible to the social, in the dialectical relationship.

⁹³ Michael Hardt and Antonio Negri, *Empire* (Cambridge, Mass.: Harvard University Press, 2000), 23-24.

4.3 Implication of social individuality for rights of concrete others

I have argued that human beings are thoroughly interdependent in such a way that individual talents, identity, ability, wealth, and production are products of social labor and cooperation. The general idea that human beings are thoroughly interdependent does not designate specific policies, which are contingent on particularities of a given society. Nonetheless, the general idea that human beings are thoroughly interdependent imposes on a society some minimum requirements such as assuring the basic needs of all human beings and the basic conditions of social life including education, law enforcement, medical care, national defense, and the like. These conditions constitute the common good. Thus, social individuality induces some minimum requirements as the common good for all.

What specific implication does social individuality have for the rights of concrete others? Social individuality redefines the relationship between individual freedom and individual economic equality. While liberal individualism prioritizes individual freedom over economic equality, it gives priority to private property over individual freedom. I have shown that because of this limitation liberal theories can protect freedom of the propertied but not of the propertyless. Social individuality reverses the priority of private property over individual freedom. Thus, social individuality prioritizes individual freedom over private property. This reverse of priority opens a way to restrict private property. In order to promote individual freedom, private property can be restricted. By imposing restrictions on private property, social individuality is able to secure resources for substantiating individual freedom of all. In this vein, social individuality is not the negation of the goal of liberal individualism, i.e., promoting freedom of all individuals. Rather, social individuality lays the foundation for the approximation of the very goal of liberal individualism through promoting economic equality such as capability equality and least-gap

equality. What justifies the restriction on private property? The restrictions are based on two reasons: One is individual dignity and the other is individual socialness. I will show that individual dignity necessitates the restriction of property rights, while individual socialness justifies restriction.

How does individual dignity necessitate the restriction of property rights? I contend that the vulnerable are concrete others. Concrete others are those who have a transcendental dimension, which dictates respect for individual dignity. Respecting individual dignity means that individuals are to be treated as an end, not a mere means. Can individual dignity be protected without restricting private property? As I have shown in Chapter 3, individual freedom is so important that, in order to promote it for all, property rights are restricted to a certain extent, as revealed by John Rawls and Ronald Dworkin. Will Kymlicka's liberal multiculturalism also accept restrictions on property rights. Individuals have both group differences and individual differences. Promoting the two kinds of differences is a way of respecting individual dignity. Liberal multiculturalism substantially promotes minority group differences by providing resources, which are made available through restrictions on property rights of those who belong to its majority group. Within a liberal tradition, thus, there is ample evidence that individual dignity restricts private property rights.

Nonetheless, liberal proposals of restricting private property are limited, since liberal theorists are in general reluctant to consider fully socialness of individuals. Macpherson points out the possessive quality of liberal individualism in the following way:

Its possessive quality is found in its conception of the individual as essentially the proprietor of his own person or capacities, owing nothing to society for them.... Society becomes a lot of free equal individuals related to each other as proprietors of their own capacities and of what they have acquired by their exercise. Society consists of relations

of exchange between proprietors. Political society becomes a calculated device for the protection of this property and for the maintenance of an orderly relation of exchange.⁹⁴

As long as individuals are proprietors of their own capacity, property rights have priority over individual dignity. If property rights are prior to individual dignity, the dignity of the propertied can be secured but the dignity of the less propertied or the non-propertied will be exposed to negligence. The possessive quality, as long as it prioritizes property rights over individual dignity, is detrimental to individual dignity and individual freedom.

Social individuality challenges the possessive quality of liberal individualism, which justifies priority of private property over individual dignity. Most of all, social individuality challenges the view that an individual is the exclusive proprietor of her person and/or capacities. As I have shown above, individual personality is shaped through interaction with people, society, and history. An individual is the result of her constant interrelationship with society and history. In addition, individual capacities are recognized, developed, and expanded through social interaction on the basis of social accumulation of knowledge and capital. Social accumulation of knowledge and capital deepens and widens individual capacities and abilities. Individual capacities and abilities are profoundly influenced and conditioned by their surrounding society, whether it is an agricultural society, a nomadic society, or a technological society. Considering that different societies provide diverse options for embodying individual talents and abilities, an individual cannot be a sole proprietor of her capacities. By delving into individual capacity, individual choice, and production process, I will contend that social individuality requires more restricted property rights.

⁹⁴ Macpherson, *The Political Theory of Possessive Individualism*, 3.

John Rawls rejects an individual as sole proprietor of her capacities. Rawls regards the natural talents and abilities as “a common asset” and the “help [for] the less fortunate.”⁹⁵ Considering individual natural talents and abilities as a common asset, he rejects absolute individual property rights. However, he contends that “the more advantaged are entitled to whatever they can acquire in accordance with the rules of a fair system of social cooperation.”⁹⁶ That is to say, as long as the difference principle is observed, it is legitimate for the more advantaged to accumulate goods without limitation. The unlimited accumulation allowance for the more advantaged minimizes the social dimension of individual talents and abilities. Social individuality rejects Rawls’ justification of unlimited accumulation of goods for the more advantaged. In understanding human beings, Rawls focuses on *natural* talents and abilities of the more fortunate. Focusing on *natural* talents and abilities, he neglects the crucial importance of the *social* dimension in the development and utilization of the talents and abilities, though he mentions the role of social circumstances in developing the talents and abilities.⁹⁷ In social individuality, society in general and social influence such as language, culture, and material provision in particular play a constitutive role in shaping and developing individual natural talents and abilities. Without social interaction and support, natural talents and abilities of individuals will remain idle. While society cannot create natural talents and abilities of individuals, it hatches them out, develops them, and makes them useful. Because of the social as a crucial factor in developing individual natural talents and abilities, individual property rights should be more considerably restricted than Rawls proposes.

⁹⁵ Rawls, *A Theory of Justice*, 87.

⁹⁶ Rawls, *A Theory of Justice*, 89.

⁹⁷ Rawls, *A Theory of Justice*, 89.

Individual choice has been the ground of absolute property rights in the thinking of Ronald Dworkin. Since individual is a proprietor of the person, individual choice justifies individual property rights. Ronald Dworkin justifies property rights based on individual choice through his ambition-sensitive and endowment-insensitive distribution.⁹⁸ Like John Rawls, Dworkin restricts property rights. Nobody can claim exclusive property rights on endowment, which belongs to society. However, individual choices do not belong to the social. He contends that the result of an individual choice is her responsibility, if resources are equally distributed. As long as one's property is accumulated or dispersed by her individual choice, she is responsible for its accumulation or dispersion. On Dworkin's justification of property rights based on individual choice, the crucial question is whether there is an individual choice that is quarantined by the social. When an individual makes a decision, its outcome is dependent on her knowledge, preference, and situation, as well as other factors. Individual knowledge and preference are not made in a vacuum, but are shaped by social constitutive interactions such as education, family history, friendship, culture, and so on. It is correct that an individual decision is made ultimately by an individual but it is incorrect to say that the social has no role in the decision-making process. Rather, whether it is the worst or best decision, a decision is made by an individual through the process of social interaction *both* within herself, as the interaction between the 'I' and the social self, *and* without herself, as the interaction between herself and others. Individual choice always accompanies the social. If an individual choice is accompanied by social interaction, it is difficult to assign full property rights to the result of an individual choice. For that reason, social interaction is an inseparable factor of an individual choice. Thus, the

⁹⁸ Dworkin, *Sovereign Virtue*, 89.

inseparable social dimension of individual choice would require more restricted property rights than Ronald Dworkin proposes.

I have discussed that individual capacities as well as individual choice cannot be a foundation of individual property rights, since the social permeates individual choice, talents, and abilities. Considering the social dimensions of individual choice and capacities, property rights need to be more restricted than either John Rawls or Ronald Dworkin allows. There is yet another reason why property rights are restricted: with only rare exceptions, every property is a social production.

Production is a social accomplishment made by social individuals. In other words, property is created through the interactions among labor, capital, means of production, and other social entities. These property producing elements are socially developed, accumulated, transmitted, and utilized. In terms of labor, individual labor power is closely connected to individual talents and abilities as well as individual choice. As I have shown above, the social plays a constitutive role in shaping individual capacities and choice. The quality and quantity of individual labor power is molded through an institutionalized system of education, which is based on the generational accumulation of human knowledge and techniques. In our days, information is the salient example of inseparable interaction between social accumulation and individual labor power. Producing information shows how individual labor power is based on and affected by social accumulations. According to Michael McFarland,

Because it is the product of human thought and not itself corporeal, information is constantly changing, growing, combining, and creating offshoots. An intellectual work never springs pure and original from a single human mind. There are always influences. The language, the characters, the themes, and the structure of a novel all have their

predecessors. Programmers always learn from other programmers, as anyone who has followed their intense conversations can appreciate.⁹⁹

Without social accumulations and interactions, there can hardly be new products. Considering the importance of social accumulations and interactions in production, individual labor is innately social labor and accordingly property rights should take the social dimension of labor into consideration.

Another component of production is capital. Capital is objectified and alienated human labor. According to Marx, “Capital is, among other things, also an instrument of production, also objectified, past labour.”¹⁰⁰ Though capital is objectified labor, it alienates the human laborer from itself. Marx emphasizes that “the progress of civilization...enriches not the worker but rather capital ...”¹⁰¹ While capital originates from human labor, it alienates human laborers from its ownership. Specifically, capital as objectified, past labor evokes colonial history and exploitation of innumerable people who as the colonized or slave laborers had never received adequate compensation. In its origination, capital has social dimension, which denies its sole ownership by a few people. In addition, capital is not productive by itself. Unlike fruit trees, capital is unable to produce anything by itself. Instead, for its increase and accumulation capital always needs human labor. That is to say, production is the result of human labor as well as capital. Nonetheless, capital owners take surplus value as well as their own portion, whereas laborers receive only their wages. Though capital is objectified human labor, i.e., social

⁹⁹ Michael C McFarland, SJ, "Intellectual Property, Information, and the Common Good," in *Readings in Cyberethics*, ed. Richard A. Spinello and Herman T. Tavani (Sudbury, Mass.: Jones and Bartlett Publishers, 2004), 302.

¹⁰⁰ Marx, *Grundrisse*, 86. Carol Gould puts capital in the following way: “The products of past laboring or productive activity or objectified labor which constitute wealth are owned by capital.” See Carol C. Gould, *Marx's Social Ontology: Individuality and Community in Marx's Theory of Social Reality* (Cambridge, Mass.: MIT Press, 1978), 150.

¹⁰¹ Marx, *Grundrisse*, 308.

production, only capital owners take extra benefits from interaction between capital and laborers. Laborers should, at least, share in surplus value created by the interaction between capital and their labors. Since capital itself is objectified past labor and its increase is also dependent upon objectified labor, capital should be owned by all those who have participated in it, that is, society in general.

The last component of production is means of production. Like human labor and capital, the social plays a constitutive role in making the means of production. Means of production is the result of science, inventions, human labor, and social institutions, and other participants. Such constitutive factors of means of production are formed by accumulation, distribution, and utilization of human knowledge through social institutions such as education system and the market. Because it is a product of society, the means of production cannot be a property of a few people. Rather, means of production should be owned by society.

The fact that individual capacity and choice are inevitably shaped by society and that production is social production justifies restrictions on individual property rights. Since society fundamentally influences individuals and production, a corollary view of property rights might be common ownership of all properties and distribution of them according to individual need. According to Karl Marx, it might be a production and distribution system “from each according to his ability, to each according to his needs.”¹⁰² In order to achieve this utopian vision, individual property rights need to be abolished. However, this utopian view is not persuasive in at least two respects: 1) though ethically appropriate, it is practically impossible; 2) while human beings are social beings, they are individual beings irreducible to their society. On the one hand, any economic system can hardly provide benefits to “all citizens at a level sufficient for a single

¹⁰² Karl Marx and others, *Critique of the Gotha Programme* (New York,: International Publishers, 1986), 10.

person to live comfortably.”¹⁰³ The result would be an unsustainable economic system as we have witnessed from the failure of Communism. On the other hand, since individuals cannot be subsumed by the social, the restriction of property rights cannot be equated with the abolition of all property rights. Even Marx denies the abolition of all property rights. Marx differentiates personal property from productive property and he proposes individual rights of personal property:

It is important to understand that Marx defines the word property in two senses, as personal property and as productive property. By personal property, Marx means objects people owned privately which did not produce social wealth, such as clothing, furniture, or cosmetics. By productive property, Marx means objects people owned privately which did produce social wealth, such as oil wells, coal mines or steel mills. The crucial aspect to Marx’s approach to the question of private property relates to that property which contributes to total social value. From this frame of reference, when Marx calls for the abolition of property he does not call for the abolition of private property, clothing or cosmetics, but for the abolition of productive property: private possession of steel mills and coal mines.¹⁰⁴

Marx acknowledges individual rights to personal property that are unrelated to social wealth. Marx, thus, at least partially recognizes the individuality of social individuals. While his view of the abolition of individual productive property rights is persuasive in light of his understanding of human beings as species beings, social individuality does not accept abolition of owning productive property, because such abolition denies individuality of social individuals in productive property. Instead, social individuality allows both personal property and at the same time, to a certain extent, individuals’ differential appropriation of productive property.

¹⁰³ Philippe Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century," in *Redesigning Distribution: Basic Income and Stakeholder Grants as Alternative Cornerstones for a More Egalitarian Capitalism*, ed. Bruce A. Ackerman et al. (London ; New York: Verso, 2006), 16-17.

¹⁰⁴ György Lukács and Norman Levine, *The Process of Democratization* (Albany: State University of New York Press, 1991), 8.

If neither abolition of owning productive property nor absolute property rights is acceptable, to what extent and on what criterion can an individual own property or justify his acquisition? Absolute confiscation of individual property is as absurd as absolute allowance of individual property rights. In addition, it is impossible to fathom the portion of the individual and the social in every production. Accordingly, it is difficult to draw specific policies from the general view that human beings are thoroughly interdependent. Nonetheless, we can draw minimum requirements of a society from the general view of human beings as social individuals. Based on human interdependence in production and identity formation, every human being owes to one another a society that provides basic human needs for all and the basic conditions of social life such as education, law enforcement, national defense, medical care, to name a few. These basic conditions of social life constitute the common good, through which we can protect and respect dignity of all human beings. In order to respect dignity of all, the common good necessitates capability equality and least-gap equality. Every individual should have capability equality that guarantees resources for developing individual capabilities. In addition, every individual should have least-gap equality in such a way that primary goods are accessible to each and every one as equally as possible. Capability equality and least-gap equality are criteria for designating individual portion and social portion in appropriating social production. I will have more detailed discussion on this in Chapter 5.

4.4 Conclusion

In this chapter, I have shown that human beings as concrete totality are social individuals, who constitute themselves through a dialectical relationship between the social and the individual. While human beings are shaped by this relationship, a more fundamental role is given

to the social. Human individuality is possible only through the social, though it is not reducible to the social. The fact that human beings are social biologically, existentially, and in their identity formation reveals the depth of socialness of human beings; the fact that human beings are affected by human history and production indicates the breadth of socialness of human beings. Considering the depth and breadth of socialness of human beings, the social plays a constitutive role in shaping individual choice, individual capacity, and production, on which individual property rights are based. Because of the constitutive role of the social in individual formation and production, property rights need to be restricted. The criterion that decides the extent of property rights is the common good, which protects and promotes individual dignity of all. Social individuality thus justifies priority of individual freedom over individual property rights. Whereas liberal individualism's priority of private property over individual freedom protects freedom of the propertied, social individuality's priority of individual freedom over private property promotes freedom of all. The next chapter, as I propose rights of concrete others, will deal more concretely with the extent to which property rights ought to be restricted and how to promote freedom of social individuals.

Chapter 5

Rights of Concrete Others: Social Multiculturalism

What is meant by the “rights of concrete others”? Best defined, it is the rights of concrete others who are social individuals. The view of human beings as social individuals denotes that individuals are both social and individual in a dialectically constitutive relationship. The rights of social individuals, accordingly, are based on their socialness and individuality. Considering the socialness of human beings, on the one hand, the rights of concrete others takes note of the cultural and group identity of individuals as well as their economic equality. On the other hand, with relation to the individuality of human beings, the rights of concrete others accentuates individual dignity, though it is inseparably connected to an individual’s social and cultural identity. I will argue that the rights of social individuals that address both individual dignity and individual socialness are best recognized and protected by what I refer to as social multiculturalism. Compared to liberal multiculturalism that promotes freedom within groups, social multiculturalism promotes equality within groups in order to substantiate freedom of all.

Social multiculturalism has two principles: equality between groups and equality within groups. The two principles have different connotations. Equality between groups promotes group difference, in order for different groups to have sufficient resources for their internal or external self-determination. In other words, equality between groups is unrelated to equalization of income or resources between groups. Equality within groups works toward the least economic gap between group members (least-gap equality) at the same time it promotes their individual

differences (capability equality).¹ These two dimensions of equality help individuals participate substantially in determining group difference and developing their individual differences. I will propose a reconfigured basic income guarantee (RBIG) as a concrete form of both least-gap equality and capability equality.

The section of equality within groups deals mainly with an RBIG. An RBIG is a basic income guarantee (BIG) supplemented by public education, public healthcare, and linguistic diversity. In the previous chapter, I have contended that property rights need to be restricted in light of individual dignity of all. I propose an RBIG as a concrete form of property rights that is restricted in light of individual dignity of all. This RBIG is based on the BIG proposed by Philippe van Parijs. His BIG focuses on equality that substantiates freedom of all through basic income. However, BIG only partially substantiates freedom of all since it is indifferent to group difference and linguistic diversity as well as public education and public healthcare. I reconfigure BIG in such a way that individuals are able to promote both individual difference and group difference.

While an RBIG can promote both individual and group difference, it also comes into conflict with group self-determination. For instance, social multiculturalism in principle emphasizes that an external self-determination-seeking group has a responsibility to provide its members least-gap equality and capability equality. Without the provision of those two dimensions of equality, a group will inevitably be swayed by its elites and accordingly bring about the internal minority problem. However, minority groups such as indigenous peoples, national minorities, and immigrants are unable to realize the two dimensions of equality but they nevertheless aspire to their self-determination. Social multiculturalism, then, appears to be an

¹ Capability equality means that individuals should have food, clothing, shelter, public education, and public healthcare in order to have substantial freedom.

obstacle to a minority group's self-determination. The section on equality between groups focuses on this conflict. Although every minority group that has experienced discrimination and oppression because of its cultural and linguistic difference can claim self-determination, I will contend that an external self-determination-seeking minority group should be able to provide at least capability equality to their members in order to claim their external self-determination.

Social multiculturalism, with equality between groups and equality within groups, is an appropriate proposal for the rights of concrete others as it promotes both group difference and individual difference of all by substantiating individual freedom of all. In proposing social multiculturalism, I will first deal with social multiculturalism in relation to liberal multiculturalism, then reconfigure a basic income guarantee in such a way as to promote both individual difference and group difference, and finally address possible conflicts between equality between groups and equality within groups.

5.1 Social Multiculturalism

I advocate social multiculturalism as a proposal for the rights of concrete others. Social multiculturalism is based on social individuality. It emphasizes the crucial role of equality played by equality in promotion of freedom. In contrast to liberal multiculturalism, which adopts two principles, that is, equality between groups and freedom within groups, social multiculturalism accepts the same principle of equality between groups but interprets the principle of freedom within groups differently. I have argued that freedom within groups can be achieved when capability equality substantiates freedom. In promoting freedom within groups, social multiculturalism adopts equality within groups. Equality between groups and within groups works toward equality that substantially promotes both group difference and individual difference.

Why should liberal multiculturalism be replaced by social multiculturalism? Liberal multiculturalism's principle of freedom within groups is unable to achieve its goal of promoting the freedom of internal minorities. Put differently, the principle of freedom within groups protects only formal freedom but not substantial freedom of internal minorities. When liberal multiculturalism protects freedom within groups, its goal is to protect individual members from being persecuted or involuntarily excluded by the group. In terms of internal minority, for instance, Will Kymlicka asserts that liberal multiculturalism should challenge illiberal practices of minority groups. In making that challenge, Kymlicka emphasizes liberal multiculturalism's support for internal reforms of illiberal practices such as oppression and unjust hierarchy.

Liberals have a right, and a responsibility, to speak out against such injustice. Hence liberal reformers inside the culture should seek to promote their liberal principles, through reason or example, and liberals outside should lend their support to any efforts the group makes to liberalize their culture. Since the most enduring forms of liberalization are those that result from internal reform, the primary focus for liberals outside the group should be to provide this sort of support.²

While recommending internal reform, Kymlicka justifies external intervention in cases of genocide or expulsion.³ Liberal multiculturalism treasures individual freedom in such a way as to allow external intervention. Through external intervention, without doubt, liberal multiculturalism can protect individual freedom from being infringed by illiberal groups.

My concern about liberal multiculturalism has to do with its silence on the issue of equality within groups. This silence is the single most critical drawback of liberal multiculturalism. Protecting freedom without equality offers no more than a half-solution and in some cases becomes a major barrier to promoting freedom. Ironically, in liberal multiculturalism,

² Kymlicka, *Multicultural Citizenship*, 168.

³ Kymlicka, *Multicultural Citizenship*, 169.

promoting economic equality between groups is the very reason for promoting freedom of minority groups. As Kymlicka admits, multiculturalism without equality has allowed the abuse of minority groups because it acknowledges the different identity of minority groups in the case of “‘corporate multiculturalism,’ ‘consumerist multiculturalism,’ ‘boutique multiculturalism,’ ‘neo-liberal multiculturalism,’ or ‘Benetton multiculturalism.’”⁴ Such types of multiculturalism are purportedly promoting differences of minority groups, while in reality they commodify differences of minority groups. Commodified differences of minority groups can at best offer a formal protection of their differences, but not substantial protection. In order to substantially protect differences of minority groups, liberal multiculturalism adopts equality between groups to the extent that groups can have self-determination. For instance, Kymlicka mentions indigenous people. In order to protect their difference, indigenous people are allowed to “have the promise of rights to land, control over natural resources, political self-government, language rights, and legal pluralism.”⁵ Such a provision of equality is necessary for protecting and promoting group difference. This logic needs to be consistently applied to individuals within groups. Just as minority groups must have equality that substantially promotes their group difference, individuals in minority groups should have at least equality that substantiates their freedom. Unfortunately, Kymlicka is silent on equality within groups, and without that protection, the freedom of internal minorities is, in some cases, negated. For example, without the substantial participation of individuals, self-determination of the group may be swayed by its elites, who have economic and political resources to manipulate the group’s goals. As I have discussed in Chapter 2, culture is not an unchangeable entity; it is constantly being made through the participation of its members. Thus, the substantial participation of group members is crucial

⁴ Kymlicka, *Multicultural Odysseys*, 131.

⁵ Kymlicka, *Multicultural Odysseys*, 284.

in the process of shaping their culture and group differences, in order to prevent elites from exclusively determining its culture and identity. As another example, women in a minority group may have less opportunity to promote their freedom because of economic inequality. They might have to engage in reproductive work, as their livelihood is dependent upon male spouses.⁶ Their dependence on male spouses allows only limited freedom to achieve their goals. Without providing equality within groups, thus, liberal multiculturalism opens the door to infringing on individual freedom within groups. This is the reason why liberal multiculturalism needs to be replaced by social multiculturalism.

Social multiculturalism addresses the critical problem of liberal multiculturalism: inequality within groups.⁷ With the provision of economic equality, individuals within a group can substantiate their freedom. For instance, the poor individuals of a minority group can challenge the manipulation of the elites in deciding political matters that impact the minority group. As another example, women with economic equality can challenge an oppressive patriarchal system and promote their freedom, severing dependency on their male spouses. In the section on basic income I will delve into these issues.

However, the fact that social multiculturalism works toward promoting equality between groups and within groups may raise the question whether social multiculturalism degenerates

⁶ In a similar vein, Susan Moller Okin points out that liberal multiculturalism should pay attention to inequality between sexes in promoting cultural minority group rights. "When liberal arguments are made for the rights of groups, then, special care must be taken to look at within-group inequalities." Susan Moller Okin, "Is Multiculturalism Bad for Women?," in *Women's Rights : The Public/Private Dichotomy*, ed. Jurate Motiejunaite (New York: International Debate Education Association, 2005), 108.

⁷ There may be a case in which a minority group claims its self-determination but is unaware of the liberal value of equality. If a minority group is insulated from its majority group or its larger group, there seems to be no conflict between inequality within groups and equality between groups (its self-determination). If a minority group is quarantined from a liberal larger group, there is no way that outsiders can challenge its hierarchal custom. It is an exceptional case. However, a minority group is in general exposed to liberal value of equality through public education or social media. As minority groups are exposed to liberal value of equality its traditional value such as hierarchical or patriarchal values are challenged. Those minority groups are faced with challenges and tensions caused by the conflict between the liberal value of equality and their self-determination. When I deal with equality within groups, I have in mind those minority groups that are exposed to the liberal value of equality.

into an imbalanced focus on social, economic, and cultural rights in such a way as to neglect civil and political rights. As economic equality is the core principle in promoting social multiculturalism, the question seems to be unavoidable and legitimate. Equality in social multiculturalism, however, is not equality negating freedom. Like liberal multiculturalism, social multiculturalism acknowledges the importance of individual freedom within groups. In social multiculturalism, thus, it is unacceptable for minority groups “to maintain their own dominance over women, religious minorities, migrants, lower caste groups, and so on.”⁸ Nonetheless, social multiculturalism accentuates equality within a group, the equality that can only ensure and promote freedom of women, religious minorities, migrants, and lower caste groups, since without promoting equality, freedom of internal minorities remains formal freedom. Equality within groups, composed of capability equality and least-gap equality, substantiates freedom of internal minorities. In social multiculturalism, therefore, equality is essential in substantiating freedom: Without equality, freedom remains only partial.

The question remains: How to implement social multiculturalism? Like liberal multiculturalism, which adopts progressive implementation, social multiculturalism uses a similar method. Several similarities and dissimilarities can be found between the implementation methods of the two. In terms of similarity, social multiculturalism adopts equality in progressive stages. Social multiculturalism cannot be achieved all at once, since economic equality in the form of basic income, public healthcare, and public education, to name just a few of its aspects, cannot be achieved at once. For instance, such economic equality requires a considerable amount of resources, the introduction of new legislative bills, and a major restructuring of the taxation, education, and healthcare systems. Some might say that revolution can bring forth such equality all at once. But, revolution would be an inappropriate choice because it is usually accompanied

⁸ Kymlicka, *Multicultural Odysseys*, 93.

with armed conflict, which is detrimental to the powerless. Armed conflict will result in endless wars between and within groups, taking a heavy toll on innocent lives. Thus, to prevent armed conflict, such equality needs to be achieved in progressive stages.

In terms of dissimilarity in implementation, social multiculturalism places primacy on equality within and between groups. In achieving liberal multiculturalism, on the contrary, Kymlicka's progressive implementation prioritizes freedom:

The model of progressive implementation would presumably not permit states to forbid peaceful and democratic forms of minority mobilization and expression, or to constitutionally entrench prohibitions on the future adoption of liberal multiculturalism...It would lower the immediate expectations put upon some states, but would not allow those states to fix in stone their preference to remain unitary, unilingual nation-states. On the contrary, it would impose a duty on such states to progressively put in place the conditions that would enable the peaceful and democratic pursuit of liberal multiculturalism over time.⁹

The progressive implementation model of liberal multiculturalism opens a way for a state to manipulate the process of its minority group claims in such a way that it decides whether it grants its minority groups generic rights or indigenous rights. Because of its discretionary power in its current political system, a state is allowed not to grant indigenous rights to its minority groups. According to the progressive implementation model adopted by liberal multiculturalism, equality is secondary because a state "would start with weak generic minority rights, but would then move into more robust models of targeted minority rights, as the various preconditions and risk factors are addressed."¹⁰ Kymlicka thus reveals a passive solution for promoting equality. On the contrary, in relation to freedom, he advocates an aggressive approach: He allows outsiders to challenge illiberal practices imposed on internal minorities. Those challenges would

⁹ Kymlicka, *Multicultural Odysseys*, 305.

¹⁰ Kymlicka, *Multicultural Odysseys*, 305.

allow external interventions in the cases of “slavery or genocide or mass torture and expulsions.”¹¹

I agree with Kymlicka that illiberal practices should be challenged, and in the aforementioned cases external interventions would be justified. Nonetheless, in light of social multiculturalism, his progressive implementation needs to be redirected in two ways. First, equality needs to be primary; second, external challenges and interventions should be directed toward inequality, not just illiberal practices. I have explained why equality should be primary in promoting multiculturalism. In terms of external challenges and interventions, considering that outsiders need massive resources to challenge and intervene in illiberal practices, his silence on intervention in inequality is quite inconsistent. As I have shown in Chapter 1, there are yearly deaths of more than twelve million people because of insufficient medical treatment, not to mention lack of resources to cover a minimum standard of living.¹² Saving a huge number of people from dying because of insufficient food and healthcare is just as important as protecting freedom of internal minorities from illiberal practices of the majority. Considering the huge number of victims of economic inequality compared to those of non-life threatening illiberal practices, priority should be given to addressing economic inequality. That is, outsiders’ resources and attentions should be preferentially given to address the inequality of the physically vulnerable. In its progressive implementation, thus, social multiculturalism prioritizes equality within groups over freedom within groups.

The principle of equality between groups and equality within groups emphasizes the priority of equality and at the same time respect for individual dignity. Since individual dignity is respected when individual freedom is substantiated, I would reframe the principle of social

¹¹ Kymlicka, *Multicultural Citizenship*, 169.

¹² Farmer, "Challenging Orthodoxies: The Road Ahead for Health and Human Rights," 9.

multiculturalism as equality that substantiates freedom of all. This principle of equality that substantiates freedom of all promotes both equality and freedom of minority groups and internal minorities. The concept of rights of concrete others is then equated with equality substantiating freedom of all in general and freedom of the vulnerable in particular. Therefore, social multiculturalism promotes both social, cultural, and economic rights, and civil and political rights.

5.2 Equality within groups

I have argued that property rights need to be restricted in light of the individual dignity of all, i.e., equality that substantiates individual freedom of all. I have shown that equality that substantiates individual freedom of all has two dimensions of equality: capability equality and least-gap equality. The two dimensions of equality accentuate individual dignity and substantial equality for promoting individual difference and group difference of all. In this section, I propose a reconfigured basic income guarantee (RBIG), which is a view of distribution of wealth or income that protects and promotes individual dignity and substantial equality for promoting group difference as well as individual difference. An RBIG is a basic income guarantee (BIG) that is supplemented by public education, public healthcare, and linguistic diversity. Before reconfiguring a BIG, let me first introduce the concept of basic income.

Basic income is an income paid by the state to each full member or accredited resident of a society, regardless of whether he or she wishes to engage in paid employment, or is rich or poor or, in other words, independently of any other sources of income that person might have, and irrespective of cohabitation arrangements in the domestic sphere.¹³

¹³ Daniel Raventós, *Basic Income: The Material Conditions of Freedom* (London ; Ann Arbor, MI: Pluto Press, 2007), 8.

First of all, a basic income is given to all residents recognized by a political community. A political community can be a regional self-governing village, a nation-state, or a larger political entity such as European Union.¹⁴ Different kinds of political communities exist, ranging from regional, to national, and even global. Second, all members are, without exception, recipients of basic income in principle. All adults receive the same basic income, but children receive less than adults, based on the assumption that children require fewer resources than adults do. Third, a basic income is given to all “on an individual basis.”¹⁵ It is thus different from family income. Whether or not one belongs to a family, one receives a basic income. Fourth, it is given to all members “without means test or work requirement.”¹⁶ It is different from a targeted welfare benefit, which is given only to, for instance, those who are under the poverty line and/or who are at least employed receiving less than the minimum cost of living. Fifth, it is given to all irrespective of income. A basic income “is given in full to those whose income exceeds the stipulated minimum no less than to those income falls short of it...though [t]axable ‘means’ may need to be taxed at a higher average rate in order to fund the basic income.”¹⁷ Like an undifferentiated social wage, a basic income is given to all.¹⁸ However, unlike an

¹⁴ Raventós, *Basic Income: The Material Conditions of Freedom*, 9.

¹⁵ Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century," 4.

¹⁶ Philippe Van Parijs, "Competing Justifications of Basic Income," in *Arguing for Basic Income: Ethical Foundations for a Radical Reform*, ed. Philippe Van Parijs (London ; New York: Verso, 1992), 3.

¹⁷ Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century," 9.

¹⁸ An undifferentiated social wage is a social wage which is given to all without regard to individual difference in social production. I think a social wage proposed by Michael Hardt and Antonio Negri is an undifferentiated wage. See Hardt and Negri, *Empire*, 401-03. With relation to individual differences, an undifferentiated social wage is problematic in two ways: it leads to low productivity and neglects individual differences. In Hardt and Negri's view of production system, all individuals receive the same social wage. If the same wage is given to one who worked four hours and the other who worked eight hours in the same job, low productivity is unavoidable. It makes the economic system unsustainable. Worse, individuals would not choose difficult jobs that require more hours and resources. Under an undifferentiated social wage system, only self-sacrificing persons have compelling reasons to spend more years to get higher skills or specified knowledge. As people avoid getting jobs requiring higher skills and special knowledge, the economy degenerates into a more simple and plain economy. That skilled jobs disappear is detrimental to individual talents and freedom. Fewer diversified job opportunities reduce the freedom options available to individuals and cause more waste of individual talents. Some may say that a social wage leads more people to engage in diverse voluntary works rather than economically efficient and technically developed works. While increase of voluntary works is commendable, a

undifferentiated social wage, the rich have more income, since they get the basic income plus their income after income tax. With relation to optimum basic income, it is “at the highest level that is economically and ecologically sustainable, and on the highest scale that is politically imaginable.”¹⁹ According to Van Parijs the minimum amount of basic income is the level of subsistence.²⁰ It is known as basic needs or fundamental needs. It includes food, shelter, clothing, education, healthcare, and the like. Nonetheless Van der Veen and Van Parijs conjecture that in OECD countries basic income “corresponds to about one half of per capita domestic income.”²¹ In short, basic income is funded by taxation, given by a political community to all members to satisfy basic needs.

Since a basic income is given to all without regard to their income differential, it would seem to make the rich richer, because while the poor receive the money as their only basic income, the wealthy who already have an income, also receive the same amount of basic income. Against such a view, Van Parijs contends that because it is based on tax-and-benefit systems, “the comparatively rich would need to pay both for their own basic income and for much of the basic income of the comparatively poor.”²² It seems then that there would be no differences between basic income and targeted social welfare that supports those whose income is below poverty line. He mentions three advantages of basic income. First, the poor can have a better chance to get benefits compared to a means test social welfare. In a means test social welfare

society needs also diversified skilled works and economically productive works. For instance, without diversification and development of technology, human beings cannot have a chance to enjoy a physical, material, and cultural well-being. If social wage brings about wasting individual talents and hindering skilled job diversification, it ultimately reduces individual freedom of all. While social wage engenders formal equality, it is equality neglecting individual difference and probably dismantling diversified social system.

¹⁹ Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century," 23.

²⁰ Van Parijs, "Competing Justifications of Basic Income," 18.

²¹ Robert J. Van der Veen and Philippe Van Parijs, "Universal Grants Versus Socialism: Reply to Six Critics," *theory and society* 15, no. (1987): 730. They mention that “about 30 percent of GDP currently [is] spent on welfare in OECD countries.”

²² Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century," 9. He also mentions different types of funding the basic income such as a progressive income tax, a flat tax, and a regressive consumption tax. These kinds of tax systems will redistribute wealth of the haves to the have-nots.

system, recipients of the benefit would be informed whether or not they are eligible for the benefit. As long as the recipients are not informed, they can be excluded from receiving such a benefit. In contrast, a basic income is given to all without any means test or requirement. No one is excluded from receiving the basic income as long as she is enlisted as a member. Second, a BIG is less humiliating than a targeted social welfare system because it is provided to all: “From the standpoint of the poor, this may count as an advantage in itself, because of the lesser stigma associated with a universal basic income.”²³ In this sense, the poor can overcome the view that they are unworthy passive recipients of benefits. Third, a BIG does not reduce productivity. A basic income is given to all without regard to their earned income. By comparison, targeted social welfare benefits are given only to those who are unemployed or underemployed. Since they lose such a benefit when they get a job that provides a similar amount of minimum income, they are disincentivized to get such a job. It is “one aspect of the unemployment trap commonly associated with conventional benefit systems.”²⁴ A BIG removes such an unemployment trap, because when recipients work, they end up better off than when out of work, because they keep their full basic income. Compared to a targeted social welfare and an undifferentiated social wage, a basic income sustains productivity, gets rid of social stigma, and becomes more accessible to the poor. It means that a basic income is sustainable and at the same time conducive to improving the conditions of the poor.

While a basic income is better than a targeted social welfare benefit or an undifferentiated social wage, the question needs to be raised whether it approximates equality substantiating freedom of all. Figure 1 shows the relationship among tax rate, basic income grant, and total social product. There are two ways of maximizing basic income. One way maximizes it in

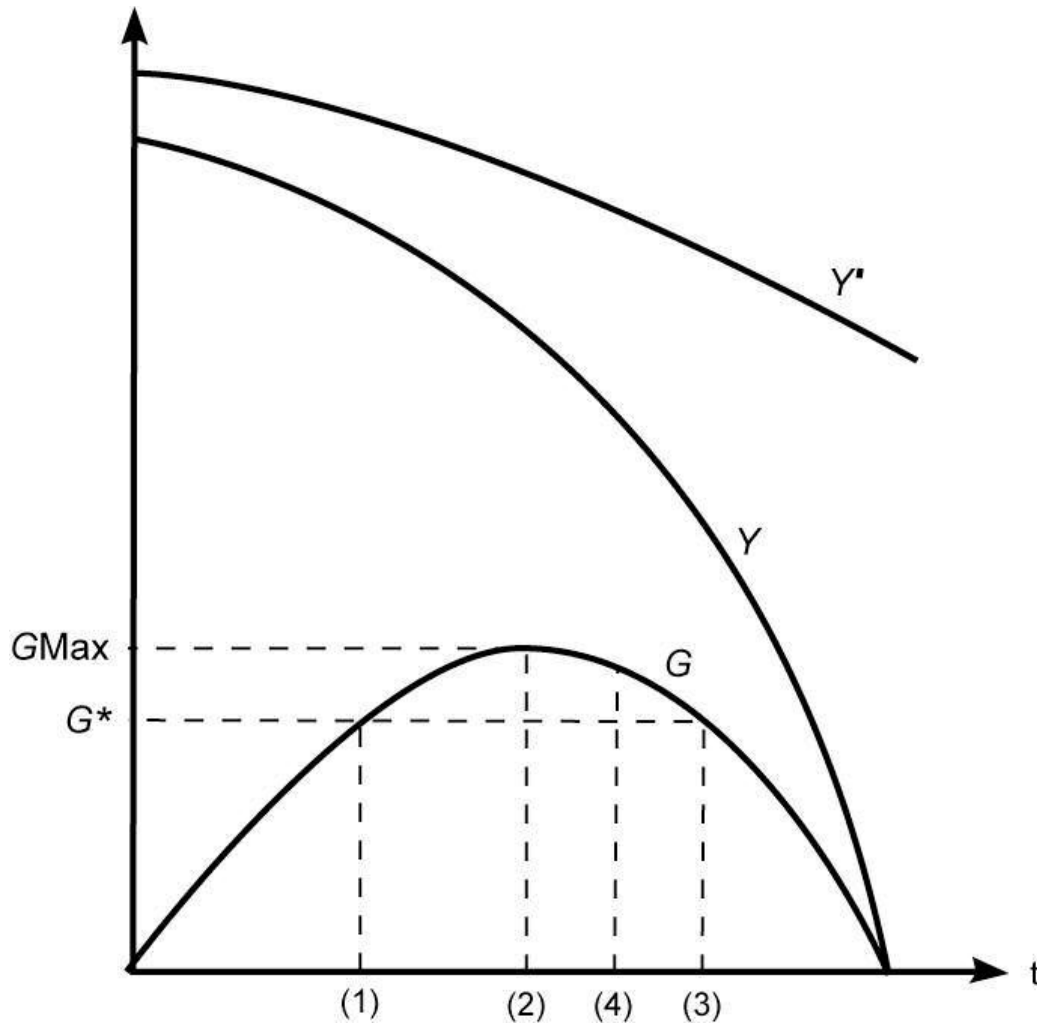
²³ Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century," 10.

²⁴ Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century," 10.

absolute terms and the other in relative terms. The former case Van Parijs refers to as the Rawlsian criterion. In the figure 1, the Rawlsian criterion is (2) when the amount of basic income is absolutely maximized. That is, everyone gets the maximized basic income whereas income differential between the rich and the poor is wider than (3). (3), which he names the Marxian criterion, is the relatively maximized basic income. In this case, everyone gets a basic income less than that of (2), but because of higher tax rates, net income differential between the rich and the poor is minimized.

Figure 1 also shows quality of freedom and quantity of freedom. Quality of freedom means the amount of social production that an individual can use with her income, while quantity of freedom means the amount of free time that an individual can have. Selections (2) and (3) represent better quality of freedom and better quantity of freedom, respectively.²⁵ Van der Veen and Van Parijs explain that since the total social production in the case of (2) is more than that of (3), people have more options to use social production. In this sense, (2) provides more quality of freedom than (3) does. On the other hand, (3) provides more quantity of freedom than (2), because the reduced amount of social production is in inverse proportion to working hours. More tax will induce people to spend fewer hours in paid work. Thus, (2) represents more basic income, less quantity of freedom, and more quality of freedom; while (3) represents less basic income, more quantity of freedom, and less quality of freedom.

²⁵ Robert J. Van der Veen and Philippe Van Parijs, "A Capitalist Road to Communism," *Basic Income Studies* 1, no. 1 (2006): 17.



- | | | |
|------|---|---------------------------------|
| t | uniform tax rate | (1) Growth-oriented criterion |
| Y | taxable social product | (2) Rawlsian criterion |
| Y' | total social product | (3) Marxian criterion |
| G | aggregate universal grant | (4) Equality-oriented criterion |
| G* | level of G covering everyone's basic need | |
| GMax | maximum sustainable level of G | |

Figure 1: Static criteria of choice and the Laffer curve²⁶

Which one of them is the approximation of equality substantiating freedom for all? The right to have equality substantiating freedom is, to begin with, the right for everyone to have a basic income that covers basic needs. Van Parijs points out four criteria that provide that basic income. Among them, (1) is excluded, since it maximizes inequality between the rich and the

²⁶ Van der Veen and Van Parijs, "A Capitalist Road to Communism," 17.

poor and it provides the least quantity of freedom, compared to (2) and (3). (1) occurs when an abundance of social products is available to all. Nonetheless, the poor have to observe the rich enjoying such abundance; the poor have the least quantity of freedom while the rich take advantage of the huge income gap. As (1) allows a huge inequality gap between the poor and the rich, it can hardly ensure equality substantiating freedom of all. Compared to (1), (2) provides less abundance of social products but the maximized basic income. In addition, (2) supplies more quality of freedom to the poor than (1) does, because more people can have purchasing power of social products and results in less inequality between the poor and the rich. Finally, (3) provides less basic income and the least abundance of social products compared to (1) and (2), but it maximizes quantity of freedom.

Between (2) and (3), which one of them best approximates equality substantiating freedom of all? At a glance, it is difficult to decide because two different kinds of freedom are maximized: quality of freedom and quantity of freedom. Some will prioritize quality of freedom over quantity of freedom, while others will prefer the other. There is a case when (2) is the approximated equality substantiating freedom of all. It is the case when only G_{Max} is equal to G^* , because of the low total social product. If (3) is below G^* , it means that many poor people are unable to cover their basic needs. In this case, stubbornly insisting on a (3) redistribution is inadequate in light of equality substantiating freedom of all. In any circumstance, basic needs of all should be met or should be approximated in dire situations. When both (2) and (3) are above G^* , in principle, (3) is preferable. When both (2) and (3) are above G^* , citizens might consider an alternative between quality of freedom and quantity of freedom. Because of the different preferences, (4) seems to be the option that each political community selects. Nevertheless, as I have shown in Chapter 3, since the gap between the rich and the poor is the primary cause of

infringing on freedom of all, (3) is the best approximation of equality substantiating freedom of all.

Still, one other factor affects equality that substantiates freedom of all: the income tax rate. Equality substantiating freedom of all prefers progressive income tax to a flat income tax. Figure 1 and Figure 2 are calculated based on a uniform tax rate. It means that every member has the same income tax rate, without regard to their income differential. As long as a flat income tax is applied, the income gap between the poor and the rich can hardly be reduced, with the exception that the poor receive basic income. Figure 3, based on different progressive income tax rates, shows different income distributions. Depending on the progressive income tax rate, basic income can be the highest one like a, or the lowest one like c. Line A shows less unequal income distribution and the highest basic income, while the line C shows more unequal income distribution and the lowest basic income. If everything is equal, an income distribution (line A) is better than any other income distribution (either line B or line C) in approximating equality that substantiates freedom of all. The lower the net income gap between the poor and the rich, the better equality substantiating freedom of all is approximated.

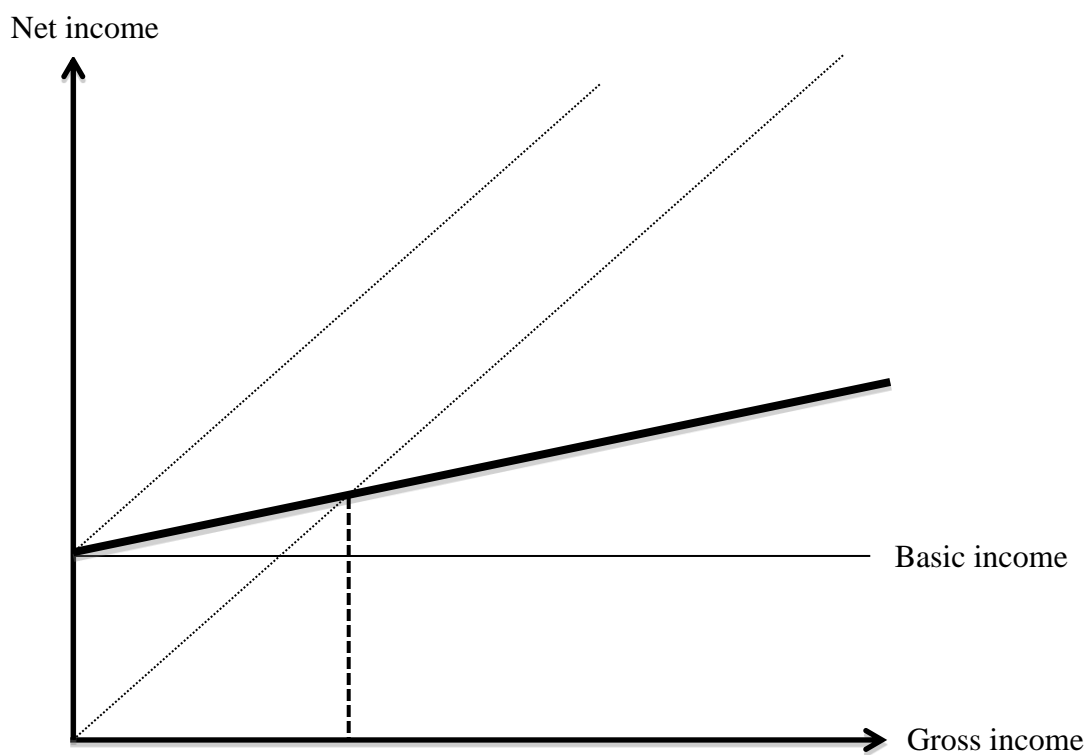


Figure 2: Basic income combined with flat tax²⁷

²⁷ See Figure 1.4. in Van Parijs, "Basic Income: A Simple and Powerful Idea for the Twenty-First Century,"

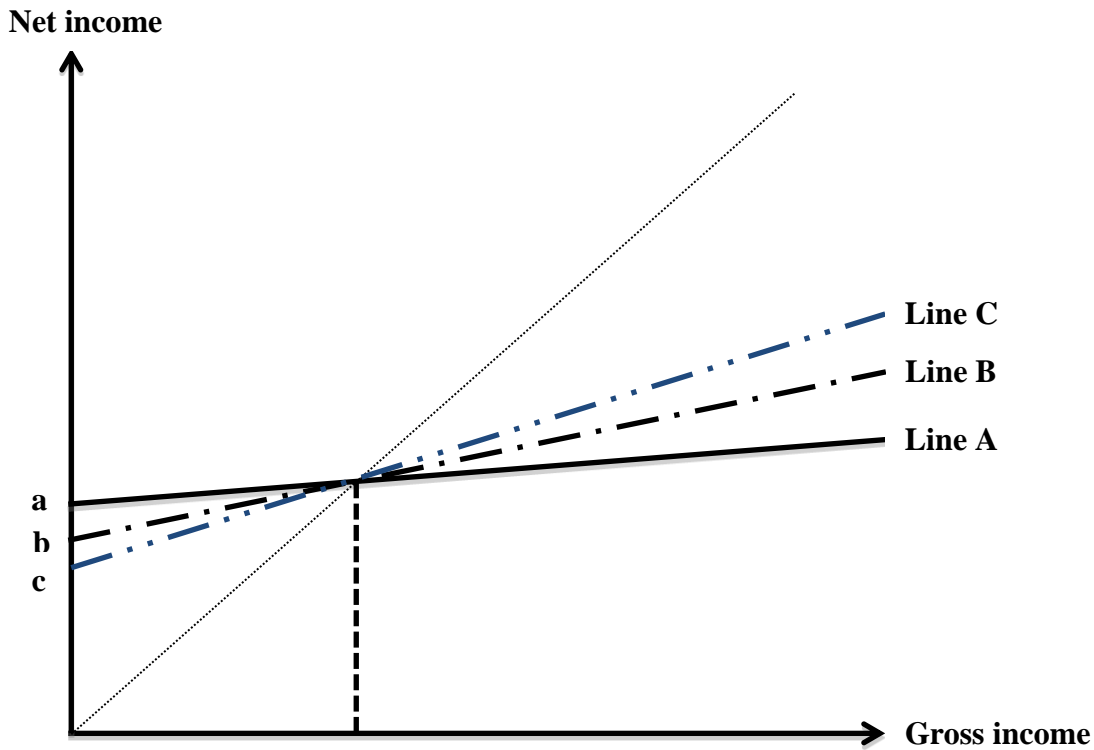


Figure 3: Income distribution after basic income with progressive tax

In a BIG situation, a crucial problem is how to ensure the fund for basic income to all. A given political community should have high-income brackets requiring payment of more taxes than low-income brackets pay. Figures 2 and 3 reflect that some who receive less net income than gross income and others who receive more net income than gross income. The bold dot line shows the break-even point. More gross income earners after the break-even point are the contributors for basic income for all. Because of income taxes collected from high-income workers, those who are unemployed and underemployed can receive basic income. A basic income system is sustainable when high-income brackets can cover low income brackets or when those who receive less net income than gross income are greater than those who receive more net income than their gross income. When every political community has the same tax rate and provides the same basic income, high-income brackets will stay in their country. But, it is

impossible to make all political communities have the same tax rate and provide the same basic income, since every political community is in a different economic condition.

Suppose that every state in the world can provide basic income to all its members, resulting in a global basic income. Depending on its economic condition, each state has a different tax rate and thus affords a different basic income. Some states may provide a basic income well above everyone's basic need, whereas others can merely provide a basic income that just covers everyone's basic needs. In such different state situations, people in general are attracted to wealthy states: the poor have a better basic income and the wealthy carry a lower tax burden in wealthy states. In terms of emigration to wealthy countries, the extremely poor are less likely to be allured by migration as they can satisfy their basic needs at home. As long as basic income is provided worldwide, there will be less migration of the poor than in a world without basic income.

Nonetheless, wealthy countries desperately need immigrants. According to Raventós, rich countries such as in the European Union need more immigrants in order to sustain their economic system, that is, to support their aging populations.

In the next 45 years [from 2007], the European Union will see a reduction in its working-age population (15-64 years of age) of almost 50 million people while the population aged 65 and over will increase by 58 million. These variations are highly significant, given that the nominal dependency ratio is expected to be 51 per cent (presently, at 24.5 per cent, it is not even half this); in other words, for each retired person there will only be two people of working age, while the present proportion is four. With regard to immigration, and confining ourselves to cold, hard figures, 'in order to maintain the real dependency ratio constant, 183 million more immigrants will be needed or, in other words, 40 per cent of the population of the European Union in 2050, which will be 454 million.'²⁸

²⁸ Raventós, *Basic Income: The Material Conditions of Freedom*, 195.

If better basic income and better jobs are available, many in poor countries are probably lured to migrate to rich countries. If the unemployed and the underemployed migrate to rich countries and find jobs, it would benefit both poor countries and rich countries. This is because poor countries can reduce their burden of supporting basic income for them and rich countries can relieve the shortage of labor power.²⁹ Emigration from poor countries, in this sense, is conducive to a global basic income system. In the case of emigration of skilled workers from poor countries, however, it worsens the BIG of the poor countries.

Why, then, are skilled workers so important in funding basic income? Skilled workers are more important than natural resources in the current economic system and they play a crucial role in their countries' economic development: "in a world in which technical and organizational talent is ever more crucial to a country's economic success, the creaming off of the world's human capital may amount to a plundering of the asset-poor countries by the asset-rich of a magnitude which dwarves the earlier plundering of their natural resources."³⁰ Put differently, talented human beings are the engine of economic development and growth. Skilled worker emigration prevents poor countries from developing their economy and accordingly makes their basic income systems unstable.

In reality, skilled workers are prone to migrate to wealthy countries. For instance, Van Parijs refers to the fact that three countries, "(the USA, Canada, and Australia), totaling hardly more than 5 per cent of the world's population, house nearly 75 per cent of the world's 'expatriate brains', defined as those graduates of tertiary education who are not currently

²⁹ Raventós refutes the view that immigrants are an economic burden to the European Union but contends that they are conducive to its economy. See Raventós, *Basic Income: The Material Conditions of Freedom*, 195.

³⁰ Philippe Van Parijs, "Hybrid Justice, Patriotism and Democracy: A Selective Reply," in *Real Libertarianism Assessed: Political Theory after Van Parijs*, ed. Andrew Reeve and Andrew Williams (Basingstoke: Palgrave Macmillan, 2003), 210.

domiciled in their country of birth.”³¹ These three countries almost monopolize skilled human resources of the world.³² In addition, the OECD has 12 million expatriate brains.³³ Skilled workers are apt to stay in wealthy countries, while poor countries should try to retain them for funding basic income.

If skilled workers are inclined to stay in wealthy countries, one might suggest that a global political community can distribute global basic income to all in the world through taxing wealthy countries. The wealthy countries could gather skilled workers who could efficiently coordinate the economy and technology and accordingly they could produce more output and better production. A global political community could share such abundance of production to poor countries through a global BIG. This suggestion seems to be reasonable, but it has serious flaws. First of all, it widens not only the economic gap but also the technological gap between wealthy countries and poor countries. As talented persons emigrate from poor countries to wealthy countries, poor countries become countries of the untalented and unskilled. Second, technology and information will be quarantined within the boundary of wealthy countries. Poor countries then remain backward and underdeveloped. Third, people in poor countries become passive recipients of basic income without contributing to a basic income fund, because they have low productivity as well as an educational and lingual barrier to accessing advanced skills and knowledge. Thus, monopolization of skilled workers by wealthy countries perpetuates and worsens the separation and segregation between wealthy countries and poor countries. It may result in the poor in poor countries regarding themselves as second-class human beings. If they

³¹ Philippe Van Parijs, *Linguistic Justice for Europe and for the World* (Oxford ; New York: Oxford University Press, 2011), 159-60.

³² Van Parijs, *Linguistic Justice for Europe and for the World*, 162.

³³ Van Parijs, *Linguistic Justice for Europe and for the World*, 160. He mentions expatriate brains in the OECD. “In 2000, the OECD as a whole had an aggregate net surplus of about 12 million brains, that is there were about 12 million more graduates born outside the OECD and currently living in the OECD than there were graduates born in the OECD currently living elsewhere.”

identify themselves as inferior human beings, a basic income system would be useless in promoting equality that substantiates freedom of all. A global basic income distributed exclusively by a global political community is therefore inappropriate. Rather, a regional or national political community should be a main distributor of basic income, although with the help of a global political community.

In order to provide basic income to their members and raise the level of basic income, poor countries should prevent such plundering of skilled workers and monopolization of skilled workers by wealthy countries. While poor countries have a good reason to prevent emigration of skilled workers, it is absurd to coercively prohibit their skilled citizens from migrating to wealthy countries, since it is an infringement of the freedom to move, one of the fundamental individual human rights. Nonetheless, poor countries cannot be indifferent to the migration of the skilled with regard to basic income.

To address the drain of skilled citizens in poor countries, Philippe Van Parijs and Yannick Vanderborght propose “solidaristic patriotism,” which means “some territorial, non-ethnic patriotism, i.e. some sort of attachment to a place, some sort of allegiance or fidelity to the political community it houses and the solidarity it achieves, that makes high-earners wish to live, work, contribute there, rather than shop around for the highest return to their human capital.”³⁴ With compatriot priority, skilled workers can overcome the allurements of high income and thereby could stay in their native countries. Instead of staying in wealthy countries, skilled people could contribute to their political community economically and technologically.

Solidaristic patriotism, however, can cause problems. For instance, when capitalists in asset-rich countries buy solidaristic patriotism, it could cause lay-offs of the poor in poor

³⁴ Philippe Van Parijs and Yannick Vanderborght, "Basic Income, Globalization and Migration," *Sustainable Utopia and Basic Income in a Global Era, Proceedings of the Basic Income International Conference* (2010): 20.

countries. Van Parijs mentions that it can prevent the asset-rich country capitalists from using “a less productive but also less demanding labour force” of asset-poor countries.³⁵ For asset-poor countries it means that their citizens would lose their opportunity to work. When poor citizens lose work opportunities, their countries have more financial burdens for basic income. But such fears are groundless, since capitalists will find ways to hire people in asset-poor countries that are compatible with solidaristic patriotism. Consider a situation in which a labor outsourcing increases unemployment of asset-rich countries. It becomes a serious problem if unemployed asset-rich workers cannot receive basic income because of a labor outsourcing. Even when capitalists outsource labor force, however, unemployed asset-rich workers will get their basic income, as long as profits earned through labor outsourcing are taxed in the asset-rich country. The unemployed might lose some quality of freedom but they would gain more quantity of freedom. This does not mean that there would be no resistance from the unemployed in the asset-rich country; rather, it means that their resistance would be far less fierce than in the case of no basic income provision.

Solidaristic patriotism can cause a more serious problem, when the asset rich use solidaristic patriotism for themselves: “the asset rich can escape high redistribution...by collectively ‘exporting their countries,’ that is, by seceding.”³⁶ If within a political community the asset rich secede from the asset poor, the collapse of basic income system is quite likely. Van Parijs tries to address this dilemma by restricting the range of solidaristic patriotism: “The choice of the locus of desirable solidaristic patriotism is not left to the vagaries of spontaneous popular sentiment. It must be nurtured in those places, and only in those places, in which it helps to

³⁵ Van Parijs, "Hybrid Justice, Patriotism and Democracy," 210.

³⁶ Van Parijs, "Hybrid Justice, Patriotism and Democracy," 211.

protect an existing or emerging redistributive *patria*.”³⁷ Put differently, solidaristic patriotism is only allowed to promote redistribution. It is, however, doubtful whether such selective promotion of solidaristic patriotism is workable, since as long as solidaristic patriotism is encouraged there is no persuasive reason for the asset-rich not to use it for themselves. In reality, there is evident example of a weaker case of such a secession or segregation between the asset rich and the asset poor. An example is an attempt of the rich to control the education system, focusing more on the private education system than the public education system. While the asset rich prefer and support the private education system to which their children belong, the public education system experiences lack of funds and resources. The children of the asset poor then are left with an education system with deficient resources, whereas those of the asset rich enjoy education with superior resources. It cannot be said to be a territorial secession, but it is no less than an educational secession. Considering that the present world economy is a knowledge-based economy, equal opportunity of education for all is crucial for the next generation of the poor to develop their talents. I will elaborate this point below.

Since solidaristic patriotism is insufficient to hold the skilled workers in poor countries, Van Parijs and Vanderborght suggest a strengthened language barrier and regime relaxation. A strengthened language barrier is “maintaining or strengthening linguistic obstacles to migration.”³⁸ That is, making the local language as the official language in such a way as to make difficult acquisition of other languages, specifically, a lingua franca. By making the local language the official language, they assume that to a certain extent, migration is to be deterred. In other words, having linguistic obstacles seems to be better than accepting English as an official language, because if a country adopts English as its official language, it probably

³⁷ Van Parijs, "Hybrid Justice, Patriotism and Democracy," 212.

³⁸ Van Parijs and Vanderborght, "Basic Income, Globalization and Migration," 17.

increases migration of its citizens to English-speaking wealthy countries. As long as different languages survive, “these linguistic differences and the associated cultural differences will remain a major brake on transnational migration.”³⁹ In a world of globalized communication, however, strengthening linguistic obstacles does not seem to be an effective option, since almost every global citizen is exposed to a lingua franca, such as English. Specifically, high tech and skilled workers are well exposed to the lingua franca.

In order to keep high tech vocation and skilled workers, as a second suggestion, Van Parijs proposes regime relaxation.⁴⁰ In contrast, regime relaxation weakens the language barrier. Setting up strengthened linguistic obstacles is, as he says, the work of a coercive regime. Unlike a coercive regime, regime relaxation allows “linguistically free zones in which the constraints of the territorial linguistic regime are lifted, at least as regards the lingua franca.”⁴¹ According to Van Parijs, such a provision of linguistically free zones relieves high-tech workers and their families of “the heavy ‘tax’ of having to learn the local language.”⁴² As those who get higher education in English can easily adjust in linguistically free zones, they do not have to migrate to wealthy countries. That is to say, regime relaxation will secure taxes for basic income in poor countries as it helps skilled workers and their families make a soft landing on the countries.

In order for the poor countries to hold onto skilled workers, Van Parijs proposes, on the one hand, strengthening the language barrier and, on the other hand, relaxing the language barrier. These two conflicting proposals expose his impasse in securing skilled workers in poor countries. Considering that skilled workers would prefer relaxation of the language barrier and skilled workers are important for the economy of poor countries, strengthening the language

³⁹ Van Parijs and Vanderborcht, "Basic Income, Globalization and Migration," 17.

⁴⁰ Van Parijs, *Linguistic Justice for Europe and for the World*, 161-164.

⁴¹ Van Parijs, *Linguistic Justice for Europe and for the World*, 163.

⁴² Van Parijs, *Linguistic Justice for Europe and for the World*, 163.

barrier seems to be a temporary expedient. While the conflicting suggestions can secure skilled workers, their children who stay in linguistically free zones have no reason to stay in the country, since they are quarantined from the strengthened language barrier. His solution is a temporary expedient but not a sustainable remedy.

Van Parijs' unsustainable solution is based on his understanding of language. For him, language is a mere means of communication: "the preservation of a language is not a fetish to be imposed on its native speakers on the ground that loyalty to their ancestors requires it, or that it would enable them to lead a more authentic life, or that linguistic diversity is an invaluable part of the human heritage that should not be squandered."⁴³ Considering language as a mere means of communication, he even contends that linguistic diversity is a stumbling block to economic equality.

On the one hand, linguistic diversity makes identification more difficult: a different language makes one part of the population perceive another as alien, as not belonging to the same kind, and hence as less trustworthy, less likely to reciprocate, and less likely to have reciprocated had the roles been reversed. Lesser identification makes both the better-off more reluctant to accept economic solidarity and the worse-off less capable of organizing collectively to press for it. On the other hand, linguistic diversity can also be expected to affect solidarity by making communication more laborious: in the absence of an effective medium, it is more difficult for the better-off to be persuasively exposed to arguments of fairness in favour of the worse-off, for the worse-off to coordinate effectively their struggle against the better-off, and for all to settle on the fine grain of the organization of solidarity.⁴⁴

In his explanation, Van Parijs presupposes a political community in which different languages are used by the better off and the worse off. In order to have economic solidarity between the better-off and the worse-off, he contends that both of them need to use the same language.

⁴³ Van Parijs, *Linguistic Justice for Europe and for the World*, 168.

⁴⁴ Van Parijs, *Linguistic Justice for Europe and for the World*, 194.

Following his logic, the worse-off should give up their own language in order to get basic income. In other words, the language of skilled workers should be the language of the unskilled or the unemployed. This view seems to carry a colonial connotation, when the language of the more skilled is imposed on the unskilled and the unemployed without their approval. But, he denies that his view has a colonial implication. On the contrary, he suggests that the promotion of linguistic diversity is appropriate when there exists colonial attitude: “If [immigrants] do not bother to learn the local language, if instead they require the locals to use their own language when interacting with them, and even to learn it if they did not know it before, the suspicion can legitimately arise that there is some arrogance involved, some lack of respect, a denial of parity of esteem, not fundamentally different from the one associated with the relationship between a colonizer and the population being colonized.”⁴⁵ He, thus, sees imposition of a hegemonic language to local language users as illegitimate. Nonetheless, he still maintains that the transition from linguistic diversity to a unified language is necessary for economic solidarity. How then is economic solidarity possible without coercively replacing local languages by hegemonic language? In his thinking, the transition from linguistic diversity to unified language is simple and natural as linguistic diversity disappears. Based on the view that there is always the asymmetric relationship between languages, he contends that

The generalization of the asymmetric bilingualism it implies can be expected to gradually reduce the extent to which the identity of the dwellers of a territory is linked to the local language. We may then be approaching a situation analogous to the terminal state of many ‘dialects’, whose native speakers were led to identify with a more or less distant national language. As identification with their ancestral language declines and the cost of protecting it rises – owing to the ground floor effect, to migration pressure, and also to the fact that immigrants can increasingly get away with knowing nothing but the lingua franca – more communities may judge that the preservation of their linguistic

⁴⁵ Van Parijs, *Linguistic Justice for Europe and for the World*, 140.

distinctiveness is no longer worth the cost and the coercion it requires and may decide to waive in turn their right to protect it. Under such hypothetical circumstances, linguistic diversity in all the senses considered in this chapter would wither away without offending parity of esteem, and it would *ipso facto* stop hindering – to the extent that it still does at that stage – the pursuit of global distributive justice as real freedom for all.⁴⁶

In his scheme, the clash between linguistic diversity and economic solidarity will be resolved as linguistic diversity is replaced by efficiency of a lingua franca. Considering the cost of keeping local languages, he thinks that local languages will necessarily be replaced without coercion. A lingua franca precipitates economic solidarity and accordingly a basic income system will naturally follow. In short, while linguistic diversity is an obstacle to basic income, a lingua franca will bring about a basic income system. Therefore, there is no compelling reason to support linguistic diversity or strengthen the language barrier.

I agree that a lingua franca may facilitate economic development, considering a globalized economic system. Without knowing the languages of the economically and technologically advanced countries, it is impossible for poor countries to develop their economy. I also agree that to a certain extent a lingua franca produces economic solidarity, since without effective communication economic solidarity is unattainable. However, I disagree with Van Parijs in that eventual linguistic convergence on lingua franca is improbable and at the same time inadequate for promoting equality substantiating freedom of all. In his view of linguistic convergence, Van Parijs takes two presuppositions for granted: one is that a basic income suffices to equality substantiating freedom for all, and the other is that language is a mere means of communication. To my mind, these two presuppositions are seriously flawed.

⁴⁶ Van Parijs, *Linguistic Justice for Europe and for the World*, 206.

Let me first deal with the second presupposition. Is a language truly a mere means of communication? If that is true, then linguistic diversity is just diversification of communication methods. A language is, without doubt, a means of communication. Yet it means more than that because a language is inseparable from its culture. Considered apart from culture, language may be a mere means of communication. Languages are, however, innately connected to their cultures: “Specific languages are related to specific cultures and to their attendant cultural identities at the level of doing, at the level of knowing and at the level of being.”⁴⁷ Since culture guides how to live and what to do, different cultures provide different options and opportunities for how individuals spend their lives. Different cultures are not just arbitrary human productions, which can be easily replaced. They are human productions generated over centuries by continuous interaction with their socially, historically, and territorially concrete circumstances. Language contains concrete cultural features, which challenge the first presupposition that basic income suffices to provide equality substantiating freedom of all.

Does basic income cover the kind of equality that substantiates freedom of all? Considering that equality that substantiates freedom of all has two dimensions, that is, least-gap equality and capability equality, does basic income cover both least-gap equality and capability equality? When it comes to basic income, Van Parijs points out two kinds of freedom that can be differently provided: quality of freedom and quantity of freedom. While least-gap equality is related to the quality of freedom, capability equality is germane to the quantity of freedom. On the one hand, quality of freedom that is provided by basic income can satisfy the requirements of least-gap equality, since basic income works toward the least gap between the rich and the poor. On the other hand, the quantity of freedom granted by basic income is insufficient to satisfy the

⁴⁷ Fishman, *Can Threatened Languages Be Saved?*, 3.

requirements of capability equality, because it is indifferent to group difference that an individual should have for her capability development.

Between the two types of freedom, linguistic and cultural diversity is closely related to quantity of freedom, while quality of freedom is intimately related to the amount of basic income. One can maximize the quality of freedom as basic income is maximized; on the other hand, one can maximize the quantity of freedom with varied options that are provided by cultural diversity. When the quantity of freedom is maximized, it means that everyone has freedom to do diverse things. If linguistic diversity disappears as it is overruled by lingua franca, freedom options are diminished in direct proportion to the shrinking cultural diversity. Without abundant freedom options, it is useless to maximize quantity of freedom. André Gorz recognizes in the BIG the possible lack of quantitative freedom options and stipulates that “[t]here must be a policy of promoting unpaid community or co-operative work, and giving it social and political recognition.”⁴⁸ In order to maximize the quantity of freedom, options must include works tinged with social and political recognition. These are available through cultural diversity, not through basic income.

In order to ensure cultural diversity, education needs to be given to all primarily in their own native language but secondarily in foreign language(s) in order to promote economic development and world-wide communication. Native languages contain reservoirs of traditionally accumulated knowledge, some of which cannot be translated. Native language, with its inherent traditional knowledge and customs, is surely a resource for supplying various options

⁴⁸ André Gorz, "On the Difference between Society and Community, and Why Basic Income Cannot by Itself Confer Full Membership of Either," in *Arguing for Basic Income: Ethical Foundations for a Radical Reform*, ed. Philippe Van Parijs (London ; New York: Verso, 1992), 183.

to optimize quantity of freedom. Linguistic diversity is thus necessary for ensuring quantity of freedom.⁴⁹

I have mentioned above the importance of equal opportunity of education for all when basic income is provided. Providing basic income without public education does not contribute toward equality substantiating freedom of all; instead, it may exacerbate the gulf between the skilled and the unskilled. Without a provision for public education the poor can hardly have opportunities to develop their skills. André Gorz points out class division that will be perpetuated by a basic income system as follows.

The working population must be expected to go on segmenting itself into a shrinking labour aristocracy of people holding skilled, stable, well-paid full-time jobs on the one hand, and on the other a growing proletarian underclass of expendable unskilled workers who will be hired and fired every few weeks from their part-time, short-term jobs. Basic income is thus to underpin the tendency towards flexible working hours and a flexible workforce, making it more acceptable. Basic income will help the proliferation of casual odd jobs – all those irregular and very badly paid jobs consisting of personal services rendered by the underclass to those who can afford to buy themselves a supplement of leisure and comfort by having little slaves take care of the daily chores. Basic income would thus be a way of subsidizing the employers and would-be employers who want very cheap labour and no kind of commitment whatsoever to the people who work for them. They will feel encouraged to offer jobs as a mere way of supplementing the basic income.⁵⁰

Gorz emphasizes the possibility of an unbridgeable gap between skilled and unskilled workers. By itself, basic income is insufficient to bridge this gap. He thus proposes an education system through which skilled jobs are available to unskilled workers: “a consistent and effective educational and retaining policy” should be provided to all in order “for everyone to acquire new

⁴⁹ In case of indigenous populations that wish to be left alone, it is inappropriate to dragoon them into learning lingua franca. Though I think that indigenous populations probably benefit from coming into contact with other cultures through lingua franca, whether or not to learn it is dependent upon indigenous populations.

⁵⁰ Gorz, "On the Difference between Society and Community, and Why Basic Income Cannot by Itself Confer Full Membership of Either," 182.

skills and know-how at any time and any age.”⁵¹ A basic income can ensure equality substantiating freedom through the provision of public education for all.

Basic income may also perpetuate gender inequality. Nancy Fraser points out that basic income itself is unable to address gender maldistribution. While Gorz indicates the gap between the skilled and the unskilled, Fraser emphasizes the gap between male workers and female workers. According to her, “Unconditional Basic Income grants would not, in the abstract, be transformative with respect to gender....Basic Income would serve to consolidate a ‘Mommy Track,’ a market in flexible, noncontinuous, largely female labor, thereby reinforcing, instead of transforming, the deep structures of gender maldistribution.”⁵² She contends that women are unable to address gender inequality, even with the provision of basic income. I agree that gender inequality is unsolvable through basic income. However, basic income addresses some gender maldistributions of education opportunity. As everyone in a family gets a basic income, a girl can be free from compulsory work for her family. If there is no basic income, school has to “[offer] monetary compensation to parents for the loss of their daughters’ time” and provide “flexible schedules for instruction” in such a way that school schedules do not coincide with their working schedule.⁵³ Considering the difficulties in providing monetary compensation and adjusting school schedules, girls can hardly have equal opportunity of education in poor countries. With the provision of basic income, however, girls have more opportunity to attend school. Basic income, thus, addresses gender maldistributions of education opportunity to a certain extent.

⁵¹ Gorz, "On the Difference between Society and Community, and Why Basic Income Cannot by Itself Confer Full Membership of Either," 183.

⁵² Nancy Fraser and Axel Honneth, *Redistribution or Recognition?: A Political-Philosophical Exchange* (London ; New York: Verso, 2003), 79.

⁵³ Elizabeth M. King and M. Anne Hill, *Women's Education in Developing Countries: Barriers, Benefits, and Policies* (Baltimore: Published for the World Bank by the Johns Hopkins University Press, 1993), 301.

Nonetheless, there are also cultural barriers that prevent girls from having equal opportunity to education. In some cultures without female teachers, parents do not send their daughters to school. For girls in those cultures, female teachers should be provided.⁵⁴ In other cases, when school is located far away from their home, parents are unwilling to send their girls to school while they are less hesitant to send their boys. For those girls, “governments need to build schools or provide school places within culturally acceptable distances from home that offer culturally appropriate safety measures (for example, boundary walls) as well as sanitary and water facilities...For example, one-room or two-room schools should be encouraged in some contexts (such as low population density areas) as the best strategy for making school places available to girls.”⁵⁵ Such specific provisions of public education can mitigate unequal gender division. Basic income needs to be supplemented with public education. Considering gender inequality and the gap between the skilled and the unskilled, basic income is by itself unable to provide equality that substantiates freedom for all. It needs to be coupled with public education in order to promote equality between skilled workers and unskilled workers, and males and females.

One more crucial provision remains to be addressed to make basic income adequate for equality that substantiates freedom for all—public medical service. Without basic income, the lives of the poor, with relation to health, have been as follows:

the poor suffer worse health and die younger. [F]or poor people especially, health is also an extremely important economic asset. Their livelihoods depend on it. When a poor person becomes ill or injured, the entire household can become trapped in a downward spiral of lost income and high health care costs. The cascading effects may also include diverting time from generating an income or from schooling to care for the

⁵⁴ King and Hill, *Women's Education in Developing Countries*, 294.

⁵⁵ Mercy Tembon and Lucia Fort, *Girls' Education in the 21st Century: Gender Equality, Empowerment, and Economic Growth* (Washington DC: World Bank, 2008), 288.

sick. And illness in the family may force the sale of assets – livestock or land required for livelihoods. More prone to disease and with limited access to health care and social insurance, poor people are more vulnerable to this downward spiral.⁵⁶

With basic income, however, the poor can defer such a downward spiral to a certain extent. While the family takes care of the ill person, they can survive and send their children to school although the family might have to sell their assets. They can avoid the worst harm they might have faced, such as starvation, had they not received basic income. But the present medical system will soon deprive the family of their basic income, specifically, those who live in poor countries. Such occurrences are based on the fact that the medical system is more hurtful to the poor in poor countries than in wealthy countries. For instance, the price of medicine is higher in some developing countries than in developed countries; this is because of “the logic of profit maximization.”⁵⁷ In addition, public health spending is curtailed by structural adjustment policies under the pretext of improving the stability of fragile economies of the developing countries.⁵⁸ Without addressing the logic of profit maximization in the medical sector, basic income would soon be useless although it could momentarily postpone a downward spiral.

Without addressing medical issues, basic income is only a half-solution to global inequality. A humanitarian approach would address global medical issues through medical voluntarism such as individual donation and public-private partnership without changing the logic of profit maximization. Petchesky indicates the inability of a humanitarian approach to address global medical issues. He provides two reasons why humanitarianism and public-private

⁵⁶ Gijsbertus Engelinus Laurentius Walraven, *Health and Poverty: Global Health Problems and Solutions* (London: Earthscan, 2011), 3.

⁵⁷ “Why should there be such enormous and seemingly illogical disparities? Because drug prices are determined not by costs of production but by managerial estimates of market characteristics; or, as the pharmacist who oversaw the MSF study put it, by the logic of profit maximization. Applying this logic ruthlessly throughout the 1990s, the pharmaceutical industry in the US maintained profit rates three times higher than those of any other corporate sector.” Rosalind P. Petchesky, *Global Prescriptions: Gendering Health and Human Rights* (Cumbria, UK: Zed Books, 2003), 108-09.

⁵⁸ Walraven, *Health and Poverty: Global Health Problems and Solutions*, 164.

partnerships are not workable. The first reason is that since a humanitarian approach is based on good will and kindness, it does not recognize “the principle of health as a human right superior to corporate property rights over life-saving medicines (or services).”⁵⁹ Without such a whole new normative system that prioritizes human healthcare over corporate property rights, voluntarism will end up as an irrelevant humanitarian gesture to helping the ill poor. Even when there is medical voluntarism, for instance, “[i]n Zimbabwe, the imposition of user fees for public health services has been linked to the doubling of maternal mortality in that country, while structural adjustments have entailed lay-offs of thousands of nurses and doctors.”⁶⁰ On the one hand, voluntary donation and work help the ill poor; on the other, medical system increases user fees and reduces medical personnel. Criticizing the humanitarian approach, thus, Petchesky concludes,

Humanitarian gestures by drug companies and donor agencies to create ‘equitable’ responses to health crises are inadequate because they fail to address the systemic roots of those crises or to require reliable mechanisms of enforcement and accountability, much less democratic participation in defining solutions by the people most affected (like pregnant women and all people with AIDS). They continue to treat health as a commodity and to assume that markets – albeit ‘tiered’ and adjusted for the poorest – are sufficient to meet basic health needs. Focusing on AIDS or other epidemic diseases and defining these as ‘national emergencies’ or ‘security risks’ creates an aura of exceptionalism that ultimately serves to normalize the arbitrary pricing of medical goods and services and their unequal distribution in nearly all other areas of preventive and curative health, including reproductive and sexual health⁶¹

A humanitarian approach can shield only a few of the ill poor from, but exposes most of them to, the deadly price of medical goods and services.

⁵⁹ Petchesky, *Global Prescriptions: Gendering Health and Human Rights*, 113.

⁶⁰ Petchesky, *Global Prescriptions: Gendering Health and Human Rights*, 139.

⁶¹ Petchesky, *Global Prescriptions: Gendering Health and Human Rights*, 111.

The second reason why a humanitarian approach is inadequate is that “like many forms of foreign aid, it lacks long-term sustainability.”⁶² In order to have a sustainable medical system, poor countries should have medical infrastructures that cannot be covered by donation and affordable drugs. To develop medical infrastructures, resources such as scientific and medical information, which the poor countries can use freely, are needed. But, there is a fundamental impediment to the infrastructure development—“the conviction that knowledge and ideas are private property and greed is the sole force driving the human quest for knowledge.”⁶³ As long as property rights are secured in the medical sector, poor countries can hardly have long-term medical sustainability. Without long-term medical sustainability, the poor will surely be put into a downward spiral, in spite of a basic income.

In order for the poor to have adequate medical service, medical service should be transformed into a public service. Observing the inadequacy of medical voluntarism, Petchesky concludes that “sustainable solutions to the problems of health and disease that plague Southern countries and poor people everywhere may be ones that go outside capitalist markets altogether and return to old-fashioned concepts of the public domain, or the common good, including essential medicines and health services as a ‘global public good.’”⁶⁴ Put differently, the concrete others should have a right to public health service, in addition to a basic income. Though we are a long way from health services as a global public good, many political communities such as Germany, Scandinavian states, and some East Asian states provide public health service. If every state adopts public healthcare systems, then all states will have a public health care system and accordingly proving all individuals health services as a global public good.

⁶² Petchesky, *Global Prescriptions: Gendering Health and Human Rights*, 114.

⁶³ Petchesky, *Global Prescriptions: Gendering Health and Human Rights*, 115.

⁶⁴ Petchesky, *Global Prescriptions: Gendering Health and Human Rights*, 116.

I have reconfigured a basic income guarantee. A basic income guarantee adopts a differentiated social income in order to be sensitive to individual dignity and to provide substantial equality for promoting individual difference. However, a differentiated social income is still inadequate for providing equality that substantiates freedom of all. It needs to be supplemented by public education and public healthcare as well as by linguistic diversity. The reconfigured basic income guarantee (RBIG) can provide equality that promotes individual difference and group difference of individuals.

5.3 Equality between groups

Equality between groups is different from *equality* within groups. Between groups, equality promotes group difference, in order for different groups to have sufficient resources for their internal or external self-determination. In other words, equality between groups is unrelated to equalization of revenue and resources between groups. In the case of equality within groups, I explained that equality means least-gap equality and capability equality. Between the two equalities, only capability equality can be applicable to equality between groups to the extent that groups can have their external self-determination. Why is least-gap equality not applicable to equality between groups? What happens when least-gap equality is applied to equality between groups? It is correct that individuals can achieve least-gap equality whether they belong to the same group or different groups. If it is applicable to individuals, why is it not applicable to groups? Primarily because least-gap equality between groups is incompatible with equality within groups. Groups are different in terms of size of population. Least-gap equality between groups, then, means that without regard to their size they have the same amount of revenues and resources. In that case, those who belong to a big group have less income and resource while those who are members of a small group have more. For instance, a big political community

needs more resources to provide basic income to its members than a small political community. However, the least-gap between groups prevents a big political community from having more resources. Accordingly, least-gap equality between groups is detrimental to equality within groups, specifically, capability equality. Least-gap equality between groups makes equality between groups incompatible with equality within groups. In this sense, least-gap equality is inappropriate for equality between groups. Equality between groups promotes group difference, which is unrelated to least-gap equality.

If equality between groups means that minority groups can retain their self-determination, which groups deserve self-determination, either external self-determination (secession) or internal self-determination (devolution) and on what grounds? When there is a conflict between self-determination and equality within groups, what is a solution of social multiculturalism? What groups are eligible for equality between groups? The differentiation between minorities by force and minorities by will is helpful to identify eligible groups for equality between groups. Minorities by force are those who want to be assimilated into their majority groups but are discriminated against by the majority groups. Minorities by will are those who want to preserve their group differences, which are not respected by their majority groups. Equality between groups is not necessary for minorities by force; they need only equality within groups. Since minorities by force experience discrimination by dissimulation, what they need is not self-determination but assimilation without discrimination. On the other hand, equality between groups is necessary for minorities by will who work toward their self-determination, whether it is external self-determination or internal self-determination.

Among diverse minorities by will, what kind of self-determination is appropriate to each group? While the perfect solution of a minority by will is ultimately external self-determination,

that is, an independent state, practical solutions are allotting different degrees of internal self-determination to different types of groups. Kymlicka mentions three different types of groups: indigenous peoples, national minorities, and immigrants. Indigenous peoples are, for instance, “the Indians and Inuit in Canada, the Aboriginal peoples of Australia, the Maori of New Zealand, the Sami of Scandinavia, the Inuit of Greenland, and Indian tribes in the United States.”⁶⁵

According to Kymlicka, Indigenous people can have a full package of rights such as rights of land, self-government, language, customary law, and representation in the central government.⁶⁶

The full package of rights is practically equated with external self-determination. However, since indigenous people live within their host state, the full package of rights is the strongest form of internal self-determination. As examples of national minorities, Kymlicka enlists “the Quebecois in Canada, the Scots and Welsh in Britain, the Catalans and Basques in Spain, the Flemish in Belgium, the German-speaking minority in South Tyrol in Italy, and Puerto Rico in the United States.”⁶⁷ For national minorities, equality between groups ensures rights of federal territorial autonomy, language, representation in the central government, and international recognition.⁶⁸

The rights of national minorities are weaker than those of indigenous people. Nonetheless, national minorities with rights can ensure their internal self-determination to a greater extent. In the case of immigrants, migrants who want to be dissimilated can claim equality between groups

⁶⁵ Kymlicka, *Multicultural Odysseys*, 66.

⁶⁶ Kymlicka, *Multicultural Odysseys*, 67. Specific policies for indigenous people are “(1) Recognition of land rights/title; (2) recognition of self-government rights; (3) upholding historic treaties and/or signing new treaties; (4) recognition of cultural rights (language, hunting/fishing); (5) recognition of customary law; (6) guarantees of representation/consultation in the central government; (7) constitutional or legislative affirmation of the distinct status of indigenous peoples; (8) support/ratification for international instruments on indigenous rights; (9) affirmative action for the members of indigenous communities.”

⁶⁷ Kymlicka, *Multicultural Odysseys*, 68.

⁶⁸ Kymlicka, *Multicultural Odysseys*, 71. Specific policies for national minorities are “(1) federal or quasi-federal territorial autonomy; (2) official language status, either in the region or nationally; (3) guarantees of representation in the central government or on constitutional courts; (4) public funding or minority language universities/schools/media; (5) constitutional or parliamentary affirmation of ‘multinationalism’; (6) according international personality (e.g. allowing the substate region to sit on international bodies, or sign treaties, or have their own Olympic team).”

to a limited extent. The dissimilating migrants are North Africans in Italy, Kosovars in Switzerland, Turks in Germany, to name but a few.⁶⁹ For dissimilating immigrants, equality between groups promotes at least bilingual education and recognition of cultural differences.⁷⁰ While these three different degrees of internal self-determination are assigned to three different types of groups, such an assignment is not fixed one. As Kymlicka admits it is impossible to preserve a sharp distinction between national minority and indigenous people because they are “differences of degree, not the difference in kind.”⁷¹ Even immigrants have differences of degree not in kind, compared to indigenous people or national minorities. As long as immigrants aspire to be minorities by will by preserving their culture and language, their differences are differences of degree rather than difference in kind. If differences among indigenous people, national minorities, and immigrants are differences in degree, assigning fixed types of self-determination to the three different groups is unjustifiable. In addition, though I agree with him that the main targets of equality between groups are indigenous people, national minorities, and immigrants in a current political system, I think that equality between groups is also applicable to groups such as guest workers and refugees, who have experienced discrimination and/or oppression from their dominant host groups because of their cultural/linguistic difference. Every cultural/linguistic group, if it is a minority by will, is eligible for self-determination, not only

⁶⁹ Kymlicka, *Multicultural Odysseys*, 75.

⁷⁰ Kymlicka, *Multicultural Odysseys*, 73-74. Specific polities for immigrants are “(1) constitutional, legislative, or parliamentary affirmation of multiculturalism, at the central and/or regional and municipal levels; (2) the adoption of multiculturalism in school curricula; (3) the inclusion of ethnic representation/sensitivity in the mandate of public media or media licensing; (4) exemptions from dress-codes, Sunday-closing legislation etc. (either by statute or by court cases); (5) allowing dual citizenship; (6) the funding of ethnic group organizations to support cultural activities; (7) the funding of bilingual education or mother-tongue instruction; (8) affirmative action for disadvantaged immigrant groups.”

⁷¹ Kymlicka, *Multicultural Odysseys*, 284. Iris Marion also contends that “differences among cultural groups [is] a matter of degree rather than kind.” See Iris Marion Young, “A Multicultural Continuum: A Critique of Will Kymlicka's Ethnic-Nation Dichotomy,” *Constellations* 4, no. 1 (1997): 51.

different degrees of internal self-determination, but also ultimately external self-determination. Nonetheless, there are prerequisites for requesting external self-determination.

I propose two preconditions that justify a minority group's request for external self-determination: (1) aspiration for external self-determination and (2) ability to sustain equality within groups. In discussing eligibility of external self-determination of minority groups, I assume that minority groups belong to their host states that provide least-gap equality and capability equality. Though there are diverse minorities by will, groups having the aspiration of external self-determination can request their external self-determination. There may be minorities by will who may satisfy their internal self-determination given by their host states. For instance, immigrants, guest workers, or refugees can satisfy their internal self-determination such as multicultural recognition, bilingual education provision, support of their cultural activities, and the like. If, however, minorities by will are not satisfied with internal self-determination provided by their host states, they can request external self-determination.

The other precondition for external self-determination is a group's ability to sustain equality within groups. Suppose that a group of poor guest workers claims their external self-determination. The poor guest workers' group can request external self-determination, if they conclude that their discrimination and oppression can only be addressed when they are separated from the rich employers. However, I have shown in the section of equality within groups, a political community should have high-income brackets in order to support a basic income guarantee. The poor guest workers can have self-governance but their members will surely suffer from lack of resources in providing capability equality and least-gap equality. In this sense, external self-determination by the poor guest workers is unsustainable and accordingly is inapplicable to them. For those minority groups who do not have the ability to provide capability

equality and least-gap equality, different degrees of internal self-determination seem to be appropriate from the perspective of social multiculturalism.

In light of social multiculturalism, thus, external self-determination (secession) is difficult for a minority group to achieve. In general, however, minority groups have difficulty in providing capability equality and least-gap equality to their members since they are economically disadvantaged groups such as indigenous people, national minorities, immigrants, guest workers, and refugees. The requirement of equality within groups, then, seems to give minorities no chance of external self-determination. Why is equality within groups so important for minority groups to achieve external self-determination? Without the provision of equality within groups, a group is prone to be swayed by its elites, which produces the internal minority problem. Social multiculturalism, thus, approves self-determination of a minority group when the group is prepared to provide its members equality within groups.

Social multiculturalism, in this sense, reveals the conflict between equality between groups (specifically, external self-determination) and equality within groups (least-gap equality and capability equality). This conflict leads to an impasse like the situation in which an absolute majority of a group that is unable to provide equality within groups aspires to external self-determination but is not allowed to do so. Since social multiculturalism requires a secession-seeking minority group to provide equality within groups, the group is purported to be ineligible for secession though an absolute majority of the group claims its secession. In this dilemma, because an absolute majority of the group claims external self-determination, social multiculturalism may allow the group to have external self-determination with the proviso that the group provides at least a minimum of capability equality to its members. In Figure 1, I identified (1) as a growth-oriented criterion, which is inadequate for equality within groups.

However, when an absolute majority of a minority group which cannot provide equality within groups aspires to secession, (1) can be an acceptable criterion as long as it meets basic needs of members. On the other hand, on the assumption that a host state provides equality within groups to its contained minority groups, a secession movement of a minority group that cannot meet even (1) is an unacceptable attempt of equality between groups. Therefore, the minimum of capability equality is the bottom line within which a minority group can claim its external self-determination.

Social multiculturalism, thus, treats unequally its two principles of equality, that is, equality between groups and equality within groups. Equality within groups is prior to equality between groups. While priority of equality within groups does not negate equality between groups, equality within groups is a more fundamental equality than equality between groups. As long as equality within groups is promoted, equality between groups can be maximized in such a way that groups can claim their external self-determination. However, when equality between groups is at odds with equality within groups, the latter has priority over the former. If a group works toward equality between groups, specifically, its external self-determination, it should provide at least the minimum of RBIG to its members.

An example of external self-determination that is detrimental to equality within groups occurs when an independent political community such as a poor country is unable to provide capability equality and least-gap equality to its own people. Minority groups who belong to their host states can request equality within groups to the host states. However, if the economy of an independent political community is not strong enough to provide RBIG to its people, no political community has direct responsibility for providing basic income to those people. For instance, there are poor countries in which people are unable to satisfy basic needs. Among poor countries,

those who have natural resources such as oil and natural gas can provide the minimum of RBIG to their people. For instance, with oil and natural gas revenue East Timor can provide a monthly basic income of US\$30, which is more than the poverty line (US\$20).⁷² However, some lack natural resources. Many of Sub-Saharan countries belong to this group. Who is responsible to provide RBIG to those poor countries? The responsibility goes to the global community in general and affluent states in particular.

Social multiculturalism requests affluent states to provide at least the minimum of RBIG to the poor countries. It can be justified by three types of injustice that have shaped a current world system mentioned by Tomas Pogge: “the effects of shared social institutions, the uncompensated exclusion from the use of natural resources, and the effects of a common and violent history.”⁷³ Two among the three types of injustice are the responsibility of the global community: the effects of shared social institutions and a common and violent history. Social institutions decide the price of primary goods, allocate natural resources, and maintain international relationships. The survival of the global poor “often crucially depends on our consumption choices, which may determine the price of their foodstuffs and their opportunities to find work.”⁷⁴ Poverty and economic crises of poor countries are closely related to a worldwide economic system that is shaped by affluent countries and imposed on poor countries. Moreover, the global poor are thrown into devastating circumstances which “are significantly shaped by a dramatic period of conquest and colonization, with severe oppression, enslavement, even genocide, through which the native institutions and cultures of four continents were

⁷² David Casassas, Daniel Raventós, and Julie Wark, "The Right to Existence in Developing Countries: Basic Income in East Timor," *Basic Income Studies* 5, no. 1 (2010): 6-7.

⁷³ Pogge, *World Poverty and Human Rights*, 199.

⁷⁴ Pogge, *World Poverty and Human Rights*, 199.

destroyed or severely traumatized.”⁷⁵ The fact that countless numbers of people and generations have been affected by a history of colonialism and oligarchic international systems provides sufficient reason for assigning to the global community in general and affluent countries in particular the responsibility for providing the minimum of RBIG to poor countries.

The idea of such a responsibility is not a new burden either to the global community or to affluent countries. For example, “between 2002 and the end of 2006, East Timor received US\$3.5 billion in aid from the UN and international agencies.”⁷⁶ East Timor received annually US\$ 800 million in aid. Considering that monthly US\$30 basic income takes US\$432 million annually, East Timor does not need extra international aid.⁷⁷ What East Timor needs is a counter to the policies of the World Bank, Asian Development Bank, and IMF, since their policies benefit foreign companies and investors.⁷⁸ Thus, the responsibility of affluent countries is not about placing on them a heavy financial burden but to bring about a major restructuring of the international aid system that mainly benefits foreign companies and investors. Without a large increase of international aid, the global community can provide a minimum RBIG to poor countries by restructuring policies of international financial agencies and inducing the poor countries to adopt an RBIG economic system.

5.4 Conclusion

I have proposed social multiculturalism as the rights of concrete others. Social multiculturalism promotes equality between groups and equality within groups, unlike liberal

⁷⁵ Pogge, *World Poverty and Human Rights*, 203.

⁷⁶ Casassas, Raventós, and Wark, "The Right to Existence in Developing Countries: Basic Income in East Timor," 6.

⁷⁷ Casassas, Raventós, and Wark, "The Right to Existence in Developing Countries: Basic Income in East Timor," 11.

⁷⁸ Casassas, Raventós, and Wark, "The Right to Existence in Developing Countries: Basic Income in East Timor," 10.

multiculturalism, which adopts equality between groups and freedom within groups. Social multiculturalism acknowledges the importance of freedom within groups. However, I have contended that in liberal multiculturalism freedom remains formal, partial freedom without being substantiated by equality. Thus, social multiculturalism promotes equality within groups, in order to substantiate freedom of internal minority. Since equality is thoroughly emphasized in social multiculturalism, the principle of equality between groups and within groups can be framed as equality that substantiates freedom of all. Two dimensions of equality that substantiates freedom of all are capability equality and least-gap equality.

A reconfigured basic income guarantee (RBIG) is a concrete form of equality within groups. An RBIG is a basic income guarantee (BIG) supplemented by public education, public healthcare, and linguistic diversity. An RBIG promotes both capability equality and least-gap equality: it provides a differentiated social income to individuals and, at the same time, lessens the economic gap between the rich and the poor. The differentiated social income and the least economic gap ensure promotion and development of individual differences. An RBIG also promotes linguistic diversity enriches group differences. An RBIG, thus, promotes both individual differences and group differences.

Equality between groups also plays a constitutive role in promoting individual difference and group difference. It provides legal, economic, and political protection to groups. Such a protection of groups is conducive to promoting individual differences of group members. While equality between groups can promote group differences, in some cases, it conflicts with equality within groups. Put differently, a minority group may work toward its external self-determination although it cannot provide equality within groups. In that case, a self-government seeking group should provide at least the minimum of RBIG to its members, in order to prevent an internal

minority problem. In the case of independent, poor countries, the global community is responsible for providing at least the minimum of RBIG to people in the poor countries. In this way, social multiculturalism, through equality within groups and equality between groups, promotes individual difference and group difference and accordingly can address oppression and domination of concrete others.

Conclusion

Human history continues to include the vulnerable—the poor, the ill, and those discriminated against, as well as many others who are oppressed, overlooked or forgotten. The burden of poverty, illness, or discrimination corrodes individual dignity. Though we are witnessing rapid progress in technology, healthcare, and food production, countless numbers of people are excluded from the benefits of this human progress. The vulnerable are exposed to oppression as they experience a lack of basic goods necessary for their capability development, and to domination as their difference is ignored, neglected, or negated. I have made a brash attempt to address oppression and domination of the vulnerable peoples by proposing social multiculturalism as the rights of concrete others. Through social multiculturalism that promotes both individual difference and group difference of all, I contend that the vulnerable will be able to address their oppression and domination. Let me summarize how the rights of concrete others can address oppression and domination of the vulnerable.

In the first chapter, I dealt with the concept of concrete others and an ethics of concrete others. The Levinasian concept of the other is without doubt a Copernican revolution in framing the vulnerable: a vulnerable person as the other is Divine other. Whereas the other has been understood as one who is viewed through the eyes of a subject, Levinas proposes the other as one who is beyond categorization/valuation by a subject. Put differently, a human being as the other has a transcendental dimension that cannot be overridden by a subject. Nonetheless, the concept of the other neglects the immanent dimension of human beings, i.e., their concrete differences. In reality, those who are vulnerable are experiencing oppression and domination because of their concrete differences. The concept of the other opens ways of denying the immanent dimension

of human beings (by rejecting incarnational understanding of human beings), disregarding concrete differences, and imposing a negative connotation on concrete differences. Because of the limitation of the concept of the other, I propose the concept of concrete others, which emphasizes the immanent dimension, the concrete differences, as well as positive engagement of the vulnerable in immanent dimension of their lives.

Based on the concept of concrete others, I propose an ethics of concrete others as adequate for addressing oppression and domination of the vulnerable. Several varieties of ethics have attempted to protect and promote concrete differences of human beings: an ethics of multitude, an ethics of *différance*, and an ethics of difference and equality. An ethics of multitude tries to protect concrete difference by providing equality. Yet, in the final analysis it proves to be detrimental to protecting concrete difference as its promotion of equality conflicts with protecting concrete difference. An ethics of *différance* attempts to protect difference by respecting concrete difference. However, its exclusive emphasis on concrete difference makes it impossible to distinguish difference of the colonized from difference of colonizers. An ethics of equality and difference endeavors to promote both equality and difference rather than promoting one at the expense of the other. While an ethics of equality and difference designates boundaries within which both difference and equality can be promoted, it does not clarify the relationship between equality and difference. I propose an ethics of concrete others, which adopts equality that is necessary for protecting and substantially promoting difference.

Chapter 2 addressed difference that needs to be substantially promoted by equality. I delved into two dimensions of difference: group difference and individual difference. Both differences constitute individual identity. Although a person's group difference is distinguishable

from individual difference, the two are in a constitutive relationship in which they shape each other. These two differences need to be protected through an ethics of concrete others.

Between the two differences, I focused on group difference, because culture and language play an indispensable role in shaping individual identity and individual difference. Group difference provides diverse options for promoting individual difference, while individual difference is irreducible to group difference. Every individual has group identities as she belongs to her surrounding society, such as her family, community, and culture. These group identities are crucial in shaping individual identities. Considering the importance of group identity of every individual, the rights of concrete others endorses multiculturalism, which recognizes, encourages, and promotes group identities. Different ways of promoting multiculturalism in the human rights tradition include: multiculturalism through individual rights, group rights, and liberal multiculturalism. Both individual rights and group rights have attempted to promote multiculturalism, but both traditions have failed to protect either individual difference or group difference. Individual rights focuses exclusively on individual difference and accordingly regards group difference as a secondary or redundant identity of an individual. Conversely, group rights prioritizes group difference and consequently neglects individual difference. The two human rights approaches neglect the constitutive relationship between group identity and individual identity of an individual. Unlike the first two approaches, liberal multiculturalism acknowledges the constitutive relationship between the two identities of an individual and accordingly attempts to promote both differences.

In promoting both individual difference and group difference, liberal multiculturalism adopts two principles: equality between groups and freedom within groups. By adopting equality between groups, liberal multiculturalism provides resources to substantially promote group

differences. For instance, indigenous people can have targeted minority rights; national minorities can claim generic minority rights; immigrants can request resources for promoting cultural and linguistic diversity. On the other hand, by promoting freedom within groups, liberal multiculturalism tries to address the internal minority problem. The internal minority problem means that respecting group difference causes negligence of individual freedom of group members. By restricting illiberal practices of minority groups, the principle of freedom within groups prevents individual difference from being infringed by group differences. Though liberal multiculturalism tries to protect individual difference, it fails to do so because it endeavors to promote freedom within groups without recourse to equality that substantiates freedom of all. It reveals liberal multiculturalism's inconsistency. Liberal multiculturalism adopts equality between groups in order to substantially promote group difference. Nonetheless, in promoting individual difference, liberal multiculturalism guarantees only freedom within groups rather than equality within groups. While attempting to restrict illiberal practices of minority groups, freedom within groups can partially promote individual differences. However, freedom within groups cannot substantially promote individual difference of members, by neglecting equality within groups. As a result, individual members, who are unable to promote their freedom, are prone to be swayed by elites of the groups. In addition, liberal multiculturalism allows states to postpone providing their minority groups with targeted minority rights, while liberal multiculturalism is intolerant of illiberal practices of minority groups. Liberal multiculturalism, thus, reveals its priority of freedom over equality and its limitation in promoting both group difference and individual difference. Though it prioritizes freedom, liberal multiculturalism fails to promote individual difference and group difference.

Chapter 3 investigated why liberalism in general and liberal multiculturalism in particular prioritize freedom but are unable to substantiate freedom of all. If liberalism prioritizes individual freedom, every individual should have equality that substantiates her freedom. I proposed capability equality and least-gap equality as the equality that substantiates individual freedom of all. Nonetheless, liberal theories negate equality even when freedom is jeopardized. Isaiah Berlin contends that equality is unrelated to negative freedom. I argued that equality, specifically, capability equality, is essential for negative freedom. Robert Nozick asserts that equality is detrimental to freedom. Based on his entitlement theory, Nozick equates freedom with property rights. However, I have shown that Nozick's view of freedom is untenable since his entitlement theory does not treat every individual as an end and his original acquisition theory is unjustifiable. While emphasizing treating every individual as an end, Nozick's view of freedom treats the propertyless as mere means. In order to treat every individual as an end, the propertyless should have at least capability equality.

Unlike Berlin and Nozick, John Rawls accepts the view that freedom is closely related to equality. Moreover, Rawls contends that primary goods are necessary for individuals to achieve their ends. Considering that opportunity, income, and wealth are primary goods, Rawls shows that economic equality is essential for freedom. However, Rawls' difference principle allows an economic gap between the better-off and the worse-off to exist. Since a huge economic gap between the better-off and the worse-off makes primary goods less available to the worse-off, the huge inequality can cause a serious problem to the worse-off in achieving their freedom. Thus, least-gap equality is necessary for the worse-off to achieve their freedom. Nonetheless, Rawls neither designates limits of the economic gap nor advocates least-gap equality. Ronald Dworkin prioritizes equality over freedom. His view of equality, as equality of resources, justifies

ambition-sensitive and endowment-insensitive distribution. His equality of resources can promote individual freedom of those who have fewer endowments. However, because he allows private property to be accumulated by individual choice, Dworkin ends up allowing huge inequality to develop between the rich and the poor. While Rawls and Dworkin accept the importance of equality in promoting individual freedom, their theories end in negating freedom of the propertyless. Liberal theories, thus, reveal a priority of private property over individual freedom.

I contend that liberalism's priority of private property over individual freedom is due to a liberal view of human beings, i.e., liberal individualism. Liberal individualism renders human beings as self-interested asocial beings. Individuals are asocial beings in that they are separable from their fellows, their community, and their society, which have no intrinsic meaning to individuals. In addition, individuals are possessive beings who own their body, life, and labor power. Though liberal individualism asserts that every individual is equal, it deemphasizes the constitutive role of the social in shaping individual identity and individual property. When liberal individuals constitute a commonwealth, the main aim of the commonwealth is to protect individual freedom and property. However, the commonwealth is prone to prioritize private property over individual freedom, since the propertied become rulers of the commonwealth while the propertyless remain just members. Because the commonwealth is governed by the propertied for the purpose of protecting their property, individual freedom of all is overridden by private property rights. As long as private property is prior to individual freedom, propertyless individuals are unable to achieve their freedom that needs to be substantiated by equality. Thus, liberalism in general and liberal multiculturalism in particular cannot promote individual

freedom of all. In order to achieve individual freedom of all, individual freedom needs to be given a higher priority than private property.

Chapter 4 proposes a view of human beings that offers an alternative to liberal individualism. I propose social individuality, a view of human beings as social beings based on Karel Kosik's concept of concrete totality. According to Kosik, human beings are a concrete totality. Human beings are not asocial beings; they are thoroughly social beings. Human beings are both individual beings and social beings in a dialectical way. In other words, while individuals are irreducible to society and society is not reduced to its individual members, they constitute each other. According to Anselm Min, a human being is a moment of cosmic totality, socio-historical totality, and personal totality. A human being is in a state of endless formation affected by society as well as nature and her self. I have shown how concretely social human beings are. They are social—biologically, existentially, in their identity formation, and in production.

Social individuality justifies restrictions on private property. In a society, an individual produces, owns, and disposes property through interaction with other human beings as well as material resources. Factors that produce property include capital, labor, and means of production, to name a few. These property producing elements are socially developed, accumulated, transmitted, and utilized. Capital is the objectification, alienation, accumulation of human labor. Human labor is shaped through an institutionalized system of education based on generational accumulation of human knowledge and techniques. Means of production is the result of collaboration among scientists, technicians, and workers, whose talents and capacities are developed by an institutionalized system of education. The social is thus crucial in producing property. Accordingly, property is social production that does not guarantee individual property

rights. Rather, property as social production limits the extent of individual property rights. The common good is the principle that limits the extent of property rights. Put differently, human beings who are thoroughly interdependent owe to one another a society which provides basic human needs for all and the basic conditions of social life such as education, medical care, law enforcement, and the like.

Chapter 5 proposes social multiculturalism as the rights of concrete others. Compared to liberal multiculturalism, which adopts equality between groups and freedom within groups, social multiculturalism espouses equality between groups and equality within groups. Through equality within groups, social multiculturalism attempts to substantially promote freedom within groups. There are two dimensions of equality within groups. One is equality that is necessary for developing individual capabilities. The other is equality that guarantees the least gap between the poor and the rich. Capability equality is prior to least-gap equality. By the priority of capability equality I mean that equality is mainly for developing individual capabilities and least-gap equality is meaningless as long as it is detrimental to individual capability development. Nonetheless, provision of least-gap equality is essential in completing capability equality. While without capability equality least-gap equality is pointless, capability equality, coupled with least-gap equality, can substantiate freedom of all.

I propose a reconfigured basic income guarantee (RBIG) as a concrete form of both capability equality and least-gap equality. An RBIG is a reconfigured form of basic income guarantee (BIG) supplemented by public education, public healthcare, and linguistic diversity coupled with cultural diversity. A BIG provides basic income that meets basic needs of all individuals such as food, clothing, shelter, and a sustenance level of education and healthcare. Nonetheless, BIG is indifferent to public education, public healthcare, and linguistic diversity.

Public education is necessary for equipping every individual with adequate knowledge to live with dignity. Public healthcare ensures every individual is free from the vicious cycle of illness and poverty. Linguistic diversity coupled with cultural diversity promotes group differences of individuals. The basic income scheme supplemented by public education, public healthcare, and linguistic diversity provides capability equality. In addition, it ensures least-gap equality to concrete others, which prevents political manipulation and monopolization of primary goods by the well-off, yet provides more quantities of freedom.

In terms of equality between groups, equality means substantial support of internal self-determination (or sometimes external self-determination) of minority groups. There may be cases in which equality between groups is in conflict with equality within groups. If a minority group is unable to provide RBIG to its members, the group is ineligible to request external self-determination in principle. Nonetheless, if an absolute majority of the group aspires to external self-determination, the group can request its external self-determination with the proviso that it can provide the minimum of capability equality to its members. Another instance of external self-determination that is incompatible with equality within groups occurs when an independent poor country is unable to provide RBIG to its people. In this case, the global community in general and affluent countries in particular has responsibility for providing the minimum of RBIG to the people of the poor country. In this way, concrete others in the world can have at least the minimum of RBIG.

Social multiculturalism attempts to address oppression and domination of concrete others. Through social multiculturalism I have endeavored to overcome two dichotomies that have aggravated oppression and domination of concrete others. One is a dichotomy between difference and equality and the other is a dichotomy between individual difference and group

difference. In terms of the dichotomy between difference and equality, social multiculturalism regards equality as a crucial foundation of promoting difference. With regard to the dichotomy between individual difference and group difference, social multiculturalism emphasizes inseparable relationship between the two. Social multiculturalism thus adopts equality that substantially promotes both differences of individuals, i.e., equality between groups and equality within groups. Through equality between groups and equality between groups, the promotion of both differences is an effective way of mitigating their oppression and domination of concrete others. Specifically, when a political community can meet the Marxian criterion, concrete others will best approximate equality that substantiates freedom of all.

Although social multiculturalism proposes the Marxian criterion as the best approximation of equality that substantiates freedom of all, it is difficult to fully achieve the Marxian criterion in the current neoliberal economic system. While the Marxian criterion is not achievable at once, by emphasizing human socialness and individual dignity, social multiculturalism is a helpful guide for working toward the Marxian criterion, through growing awareness of individual dignity and a constitutive role of the social in production and identity-formation that justifies capability equality and least-gap equality. With the framework of social multiculturalism, a political community starts with a minimum RBIG, increases the amount of RBIG, and in due course can promote both individual difference and group difference based on the sufficient provision of RBIG to the extent of satisfying the Marxian criterion.

Bibliography

- Arblaster, Anthony. *The Rise and Decline of Western Liberalism*. Oxford ; New York, NY: B. Blackwell, 1984.
- Arneson, Richard J. "Property Rights in Persons." In *Economic Rights*, edited by Ellen Frankel Paul, Fred Dycus Miller and Jeffrey Paul. New York: Cambridge University Press, 1992.
- Association of African Women for Research and Development. "A Statement on Genital Mutilation." In *Third World, Second Sex: Women's Struggles and National Liberation*, edited by Miranda Davies. London, UK Atlantic Highlands, N.J., USA: Zed Books, 1983.
- Badiou, Alain. *Ethics: An Essay on the Understanding of Evil*. London; New York: Verso, 2001.
- Barnett, Michael N. *Eyewitness to a Genocide: The United Nations and Rwanda*. Ithaca: Cornell University Press, 2002.
- Bauer, Otto. *The Question of Nationalities and Social Democracy*. Translated by Joseph O'Donnell. Minneapolis: University of Minnesota Press, 2000.
- Bell, Daniel. *Communitarianism and Its Critics*. Oxford: Clarendon Press, 1993.
- Benhabib, Seyla. *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton, N.J.: Princeton University Press, 2002.
- Bentham, Jeremy. *An Introduction to the Principles of Morals and Legislation*. Oxford: Clarendon Press, 1823.
- Berger, Thomas R. "The Persistence of Native Values." In *Ethnicity and Ethnic Relations in Canada: A Book of Readings*, edited by Jay E. Goldstein and Rita M. Bienvenue. Toronto: Butterworths, 1980.
- Berlin, Isaiah. *Four Essays on Liberty*. New York: Oxford University Press, 1969.
- Bernasconi, Robert, and David Wood. *The Provocation of Levinas: Rethinking the Other*. London ; New York: Routledge, 1988.
- Blond, Phillip. "Emmanuel Levinas: God and Phenomenology." In *Post-Secular Philosophy: Between Philosophy and Theology*, edited by Phillip Blond. London ; New York: Routledge, 1998.
- Blot, Richard K. *Language and Social Identity*. Westport, Conn.: Praeger, 2003.

- Butler, Judith. *Precarious Life: The Powers of Mourning and Violence*. London; New York: Verso, 2006.
- Capdevila, Rose, and Jane Callaghan. "It's Not Racist, It's Common Sense: A Critical Analysis of Political Discourse around Asylum and Immigration in the Uk." *Journal of Community and Applied social Psychology* 18, no. 1 (2008): 1-16.
- Casassas, David, Daniel Raventós, and Julie Wark. "The Right to Existence in Developing Countries: Basic Income in East Timor." *Basic Income Studies* 5, no. 1 (2010): 5-14.
- Caygill, Howard. *Levinas and the Political*. London ; New York: Routledge, 2002.
- Chambers, Simone. "The Politics of Equality: Rawls on the Barricades." *Perspectives on politics* 4, no. 1 (2006): 81-89.
- Christman, John Philip. *The Politics of Persons: Individual Autonomy and Socio-Historical Selves*. Cambridge; New York: Cambridge University Press, 2009.
- Cooper, Helene. "Obama Explains Opposition to Palestinian Statehood Bid." *New York Times on the Web* (September 21, 2011). http://www.nytimes.com/2011/09/22/world/obama-united-nations-speech.html?_r=1&scp=3&sq=palestine%20statehood&st=cse (accessed September 26, 2011).
- Costa, Victoria. "Rawls on Liberty and Domination." *Res Publica* 15, no. 4 (2009): 397-413.
- Cronin, Kieran. "Defining 'Group Rights'." *Irish Theological Quarterly* 69, no. 2 (2004): 99-115.
- Daniels, Norman. *Reading Rawls: Critical Studies on Rawls' a Theory of Justice*. New York: Basic Books, 1975.
- DeNavas-Walt, Carmen, Bernadette D. Proctor, and Jessica C. Smith. "Income, Poverty, and Health Insurance Coverage in the United States: 2010." *Current Population Reports, P60-239* (2011). <http://www.census.gov/prod/2011pubs/p60-239.pdf> (accessed September 13, 2011).
- Derrida, Jacques. *Writing and Difference*. Chicago: University of Chicago Press, 1978.
- _____. *The Gift of Death*. Chicago: University of Chicago Press, 1995.
- _____. *Monolingualism of the Other, or, the Prosthesis of Origin*. Stanford, Calif.: Stanford University Press, 1998.
- _____. "Hospitality, Justice and Responsibility: A Dialogue with Jacques Derrida." In *Questioning Ethics: Contemporary Debates in Philosophy*, edited by Richard Kearney and Mark Dooley. London: Routledge, 1999.

- _____ and Elisabeth Roudinesco. *For What Tomorrow: A Dialogue*. Translated by Jeff Fort. Stanford, Calif.: Stanford University Press, 2004.
- Deutscher, Penelope. *How to Read Derrida*. 1st American ed. New York: W. W. Norton, 2006.
- DiQuattro, Arthur. "Rawls and Left Criticism." *Political Theory* 11, no. 1 (1983): 53-78.
- Donnelly, Jack. "In Defense of the Universal Declaration Model." In *International Human Rights in the 21st Century: Protecting the Rights of Groups*, edited by Gene Martin Lyons and James Mayall. Lanham: Rowman & Littlefield Publishers, 2003.
- _____. *Universal Human Rights in Theory and Practice*. 2nd ed. Ithaca: Cornell University Press, 2003.
- Dworkin, Ronald. "What Is Equality? Part 2: Equality of Resource." *Philosophy and Public Affairs* 10, no. 4 (1981): 283-345.
- Dworkin, Ronald. *Sovereign Virtue: The Theory and Practice of Equality*. Cambridge, Mass.: Harvard University Press, 2000.
- Evans, Nicholas. *Dying Words: Endangered Languages and What They Have to Tell Us*. Chichester, U.K. ; Malden, MA: Wiley-Blackwell, 2010.
- Farmer, Paul. *Pathologies of Power: Health, Human Rights, and the New War on the Poor*. Berkeley: University of California Press, 2005.
- _____. "Challenging Orthodoxies: The Road Ahead for Health and Human Rights." *Health and Human Rights* 10, no. 1 (2008): 5-19.
- Fishman, Joshua A. *Can Threatened Languages Be Saved? Reversing Language Shift, Revisited: A 21st Century Perspective*. Clevedon England ; Buffalo: Multilingual Matters, 2001.
- Fraser, Nancy, and Axel Honneth. *Redistribution or Recognition?: A Political-Philosophical Exchange*. London ; New York: Verso, 2003.
- Furrow, Dwight. *Against Theory: Continental and Analytic Challenges in Moral Philosophy*. New York: Routledge, 1995.
- Garrett, Laurie. "The Challenge of Global Health." *Foreign Affairs* 86, no. 1 (2007).
- Gehlen, Arnold. *Man, His Nature and Place in the World*. New York: Columbia University Press, 1988.
- Gorz, André. "On the Difference between Society and Community, and Why Basic Income Cannot by Itself Confer Full Membership of Either." In *Arguing for Basic Income*:

- Ethical Foundations for a Radical Reform*, edited by Philippe Van Parijs. London ; New York: Verso, 1992.
- Gould, Carol C. *Marx's Social Ontology: Individuality and Community in Marx's Theory of Social Reality*. Cambridge, Mass.: MIT Press, 1978.
- Gourevitch, Alex. "Are Human Rights Liberal?" *Journal of Human Rights* 8, no. 4 (2009): 301-322.
- Haas, Peter M., John A. Hird, and Beth McBratney. *Controversies in Globalization: Contending Approaches to International Relations*. Washington, DC: CQ Press, 2010.
- Hacker, Jacob S. *The Great Risk Shift: The Assault on American Jobs, Families, Health Care, and Retirement and How You Can Fight Back*. Oxford ; New York: Oxford University Press, 2006.
- Hampshire, Stuart. "In Defence of Radicalism." *Encounter* 5, no. 2 (1955): 36-41.
- Hardt, Michael, and Antonio Negri. *Empire*. Cambridge, Mass.: Harvard University Press, 2000.
- _____. *Multitude: War and Democracy in the Age of Empire*. London: Hamish Hamilton, 2005.
- Harvey, David. *A Brief History of Neoliberalism*. Oxford ; New York: Oxford University Press, 2005.
- Held, David. *A Globalizing World? : Culture, Economics, Politics*. 2nd ed. ed. London: Routledge in association with the Open University, 2004.
- Himmelstein, David U., Deborah Thorne, Elizabeth Warren, and Steffie Woolhandler. "Medical Bankruptcy in the United States, 2007: Results of a National Study." *The American Journal of Medicine* 20, no. 10 (2009).
- Hobbes, Thomas, and J. C. A. Gaskin. *Leviathan*. Oxford; New York: Oxford University Press, 1996.
- Hube, Karen. "The Tax Law That Could Make Your Grandchildren Super-Rich." *The Washington Post on the Web* (June 25 2011).
http://www.washingtonpost.com/business/the-tax-law-that-could-make-your-kids-super-rich/2011/06/20/AG2DoskH_story.html (accessed September 16, 2011).
- Hunt, E. K. *Property and Prophets: The Evolution of Economic Institutions and Ideologies*. Updated 7th ed. Armonk, N.Y.: M.E. Sharpe, 2003.
- Ingram, David. *Group Rights: Reconciling Equality and Difference*. Lawrence, Kan.: University Press of Kansas, 2000.

- Jackson-Preece, Jennifer. "Human Rights and Cultural Pluralism." In *International Human Rights in the 21st Century: Protecting the Rights of Groups*, edited by Gene Martin Lyons and James Mayall. Lanham: Rowman & Littlefield Publishers, 2003.
- Johnston, Darlene M. "Native Rights as Collective Rights: A Question of Group Self-Preservation." In *The Rights of Minority Cultures*, edited by Will Kymlicka. Oxford ; New York: Oxford University Press, 1995.
- Johnston, David. *The Idea of a Liberal Theory: A Critique and Reconstruction*. Princeton, N.J.: Princeton University Press, 1994.
- Kennickell, Arthur B. "A Rolling Tide: Changes in the Distribution of Wealth in the U.S., 1989-2001." (2003).
<http://www.federalreserve.gov/pubs/oss/oss2/papers/concentration.2001.10.pdf> (accessed September 9, 2011).
- Khan, Irene. *The Unheard Truth: Poverty and Human Rights*. New York: W.W. Norton & Co., 2009.
- Kim, Jim Young, and Paul Farmer. "Global Issues in Medicine." In *Harrison's Principles of Internal Medicine*, edited by Anthony S et al. Fauci. New York: McGraw-Hill Medical, 2008.
- King, Elizabeth M., and M. Anne Hill. *Women's Education in Developing Countries: Barriers, Benefits, and Policies*. Baltimore: Published for the World Bank by the Johns Hopkins University Press, 1993.
- Klein, Naomi. *No Logo: No Space, No Choice, No Jobs*. 10th anniversary ed. New York: Picador, 2010.
- Kosík, Karel. *Dialectics of the Concrete: A Study on Problems of Man and World*. Dordrecht, Holland ; Boston: D. Reidel Pub. Co., 1976.
- Krishna, Anirudh. "Are More People Becoming Vulnerable to Poverty? Evidence from Grassroots Investigations in Five Countries." In *Globalization and Emerging Societies: Development and Inequality*, edited by Jan Nederveen Pieterse and Boike Rehbein. Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan, 2009.
- Kymlicka, Will. *Liberalism, Community, and Culture*. New York: Oxford University Press, 1989.
- _____. *Contemporary Political Philosophy: An Introduction*. New York: Oxford University Press, 1990.
- _____. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford, New York: Clarendon Press; Oxford University Press, 1995.

- _____. *States, Nations, and Cultures*. Assen: Van Gorcum, 1997.
- _____. *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship*. Oxford, UK New York: Oxford University Press, 2001.
- _____. *Multicultural Odysseys: Navigating the New International Politics of Diversity*. Oxford ; New York: Oxford University Press, 2009.
- _____. "Review Symposium: Reply." *Ethnicities* 8, no. 2 (June 2008): 277-283.
- Lévinas, Emmanuel. *Totality and Infinity: An Essay on Exteriority*. Pittsburgh: Duquesne University Press, 1969.
- _____. "Philosophy and the Idea of Infinity." In *Collected Philosophical Papers*. Hingham, MA: Kluwer Academic Publishers, 1987.
- _____. *Time and the Other and Additional Essays*. Pittsburgh, PA: Duquesne University Press, 1987.
- _____. *Otherwise Than Being, or, Beyond Essence*. Pittsburgh, Pa.: Duquesne University Press, 1998.
- _____ and Philippe Nemo. *Ethics and Infinity*. 1st ed. Pittsburgh: Duquesne University Press, 1985.
- Lindio-McGovern, Ligaya, and Isidor Wallimann. "Neoliberal Globalization and Third World Women: Exploitation, Coping and Resistance." In *Globalization and Third World Women: Exploitation, Coping and Resistance*, edited by Ligaya Lindio-McGovern and Isidor Wallimann. Farnham, England ; Burlington, VT: Ashgate Pub., 2009.
- Llewelyn, John. "Levinas, Derrida and Others Vis-À -Vis." In *The Provocation of Levinas: Rethinking the Other*, edited by Robert Bernasconi and David Wood. London ; New York: Routledge, 1988.
- Locke, John, and Ian Shapiro. *Two Treatises of Government: And a Letter Concerning Toleration*. New Haven, Conn.: Yale University Press, 2003.
- Louden, Robert B. *Morality and Moral Theory: A Reappraisal and Reaffirmation*. New York: Oxford University Press, 1992.
- Lukács, György, and Norman Levine. *The Process of Democratization*. Albany: State University of New York Press, 1991.
- Machan, Tibor R. *Libertarianism Defended*. Aldershot, Hants, England; Burlington, VT: Ashgate, 2006.

- Macpherson, C. B. *The Political Theory of Possessive Individualism: Hobbes to Locke*. Oxford,: Clarendon Press, 1962.
- _____. "Review Symposium: Iii-Rawls's Models of Man and Society." *Philosophy of the Social Sciences* 3, no. 1 (1973): 341-47.
- Mahmood, Saba. *Politics of Piety: The Islamic Revival and the Feminist Subject*. Princeton, N.J.: Princeton University Press, 2005.
- Malkin, Elisabeth. "After 15 Years, Nafta's Promise Still Unfulfilled in Mexico." *New York Times on the Web* (March 23, 2009).
<http://www.nytimes.com/2009/03/24/business/worldbusiness/24peso.html?pagewanted=all> (accessed April 03, 2012).
- Margalit, Avishai, and Joseph Raz. "National Self-Determination." *Journal of Philosophy* 87, no. 9 (1990): 439-61.
- Marion, Jean-Luc. *The Idol and Distance: Five Studies*. New York: Fordham University Press, 2001.
- Markell, Patchen. *Bound by Recognition*. Princeton, N.J.: Princeton University Press, 2003.
- Marx, Karl. *Grundrisse. Foundations of the Critique of Political Economy*. Translated by Martin Nicolaus. New York,: Random House, 1973.
- Marx, Karl, Friedrich Engels, Vladimir II ich Lenin, Institut Marksa-*Engel*sa-Lenina., and C. P. Dutt. *Critique of the Gotha Programme*. New York,: International Publishers, 1986.
- McDonald, Lee Cameron. *Western Political Theory: The Modern Age*. New York,: Harcourt, 1962.
- McFarland, Michael C, SJ. "Intellectual Property, Information, and the Common Good." In *Readings in Cyberethics*, edited by Richard A. Spinello and Herman T. Tavani. Sudbury, Mass.: Jones and Bartlett Publishers, 2004.
- Mead, George Herbert. *Mind, Self, and Society from the Standpoint of a Social Behaviorist*. Chicago, Ill.: The University of Chicago press, 1974.
- Michaels, Walter Benn. *The Trouble with Diversity: How We Learned to Love Identity and Ignore Inequality*. 1st ed. New York: Metropolitan Books, 2006.
- Mignolo, Walter. *Local Histories/Global Designs: Coloniality, Subaltern Knowledges, and Border Thinking*. Princeton, N.J.: Princeton University Press, 2000.

- Míguez, Néstor, Joerg Rieger, and Jung Mo Sung. *Beyond the Spirit of Empire: Theology and Politics in a New Key*. London: SCM, 2009.
- Min, Anselm Kyongsuk. *The Solidarity of Others in a Divided World: A Postmodern Theology after Postmodernism*. New York; London: T&T Clark International, 2004.
- _____. "Praxis and Liberation: Toward a Theology of Concrete Totality." Ph.D. dissertation, Vanderbilt University, 1989.
- Morgan, Michael L. *Discovering Levinas*. New York: Cambridge University Press, 2007.
- Murdoch, Iris. *The Sovereignty of Good*. New York,: Schocken Books, 1971.
- Myers, Denys P. *Handbook of the League of Nations since 1920*. Boston: World Peace Foundation Publications, 1930.
- Niebuhr, Reinhold. *The Children of Light and the Children of Darkness*. New York: C. Scribner's sons, 1944.
- Nozick, Robert. *Anarchy, State, and Utopia*. New York: Basic Books, 1974.
- Nussbaum, Martha Craven. *Creating Capabilities: The Human Development Approach*. Cambridge, Mass.: Belknap Press of Harvard University Press, 2011.
- Okin, Susan Moller. "Is Multiculturalism Bad for Women?" In *Women's Rights: The Public/Private Dichotomy*, edited by Jurate Motiejunaite. New York: International Debate Education Association, 2005.
- Ossman, Susan, and Susan Terrio. "The French Riots: Questioning Spaces of Surveillance and Sovereignty." *International Migration* 44, no. 2 (2006): 5-21.
- Pannenberg, Wolfhart. *Anthropology in Theological Perspective*. 1st ed. Philadelphia: Westminster Press, 1985.
- Parekh, Bhikhu C. "Liberalism and Morality." In *The Morality of Politics*, edited by Bhikhu C. Parekh and R. N. Berki. London: Allen and Unwin, 1972.
- Perpich, Diane. "Levinas, Feminism, and Identity Politics." In *Radicalizing Levinas*, edited by Peter Atterton and Matthew Calarco. Albany: State University of New York Press, 2010.
- Perry, Michael J. *The Idea of Human Rights: Four Inquiries*. New York: Oxford University Press, 1998.
- Pestieau, Joseph. "Minority Rights: Caught between Individual Rights and People's Rights." *Canadian Journal of Law and Jurisprudence* IV, no. 2 (July 1991): 361-373.

- Petchesky, Rosalind P. *Global Prescriptions: Gendering Health and Human Rights*. Cumbria, UK: Zed Books, 2003.
- Pogge, Thomas Winfried Menko. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge ; Malden, MA: Polity, 2002.
- Polanowska-Sygułska, Beata. "Two Visions of Liberty: Berlin and Hayek." In *Unfinished Dialogue*, edited by Isaiah Berlin and Beata Polanowska-Sygułska. Amherst, NY: Prometheus Books, 2006.
- Portmann, Adolf. *A Zoologist Looks at Humankind*. New York: Columbia University Press, 1990.
- Przeworski, Adam, Michael E. Alvarez, and Jose Antonio Cheribub. "What Makes Democracies Endure?" In *The Global Divergence of Democracies*, edited by Larry Jay Diamond and Marc F. Plattner. Baltimore: Johns Hopkins University Press, 2001.
- Raventós, Daniel. *Basic Income: The Material Conditions of Freedom*. London; Ann Arbor, MI: Pluto Press, 2007.
- Rawls, John. *Political Liberalism*. New York: Columbia University Press, 1993.
- _____. *A Theory of Justice*. Rev. ed. Cambridge, Mass.: Belknap Press of Harvard University Press, 1999.
- Révész, Geza, and J. Butler. *The Origins and Prehistory of Language*. New York: Longmans, 1956.
- Roach, Steven C. *Cultural Autonomy, Minority Rights, and Globalization*. Aldershot, Hampshire, England ; Burlington, VT: Ashgate, 2005.
- Robertson, Raymond, and World Bank. *Globalization, Wages, and the Quality of Jobs : Five Country Studies*. Washington D.C.: World Bank, 2009.
- Sandel, Michael J. *Liberalism and the Limits of Justice*. Cambridge Cambridgeshire; New York: Cambridge University Press, 1982.
- Santos, Boaventura de Sousa. *The Rise of the Global Left: The World Social Forum and Beyond*. London ; New York: Zed Books, 2006.
- _____. "Human Rights as an Emancipatory Script? Cultural and Political Conditions." In *Another Knowledge Is Possible: Beyond Northern Epistemologies*, edited by Boaventura de Sousa Santos. London; New York: Verso, 2007.
- Sassen, Saskia. *Territory, Authority, Rights: From Medieval to Global Assemblages*. Princeton, N.J.: Princeton University Press, 2006.

- Silva, Filipe Carreira da. *G.H. Mead: A Reader*. Cambridge, UK: Polity Press, 2007.
- Singer, Peter. *One World: The Ethics of Globalization*. New Haven: Yale University Press, 2002.
- Snyder, David C. "Locke on Natural and Property Rights." *Canadian Journal of Philosophy* 16, no. 4 (1986): 723-750.
- Song, Sarah. *Justice, Gender, and the Politics of Multiculturalism*. Cambridge ; New York: Cambridge University Press, 2007.
- Spitz, Jean-Fabien. "The Concept of Liberty in 'a Theory of Justice' and Its Republican Version." *Ratio Juris* 7, no. 3 (1994): 331-347.
- Steger, Manfred B. *Globalization: A Very Short Introduction*. Oxford ; New York: Oxford University Press, 2003.
- Stiglitz, Joseph E. *Globalization and Its Discontents*. New York: W. W. Norton & Co, 2002.
- Tembon, Mercy, and Lucia Fort. *Girls' Education in the 21st Century: Gender Equality, Empowerment, and Economic Growth*. Washington DC: World Bank, 2008.
- Turner, Bryan S., and Habibul Haque Khondker. *Globalization: East and West*. Thousand Oaks, CA: SAGE, 2010.
- UNESCO, "The Twenty-First Century: Towards the Identification of Some Main Trends." www.unesco.org/webworld/taskforce21/documents/binde_en.rtf (accessed September 25, 2011).
- United Nations Development Programme. *Human Development Report 2006*. Basingstoke ; New York,; Palgrave Macmillan, Published for the United Nations Development Programme, 2006.
- UNPFII. "Fact Sheet: Indigenous Languages." *7th Session of the Permanent Forum on Indigenous Issues* (May 2008). http://www.un.org/esa/socdev/unpfii/documents/Factsheet_languages_FINAL.pdf (accessed October 3, 2011).
- Van der Veen, Robert J., and Philippe Van Parijs. "Universal Grants Versus Socialism: Reply to Six Critics." *Theory and Society* 15 (1987): 723-757.
- _____. "A Capitalist Road to Communism." *Basic Income Studies* 1, no. 1 (2006): 1-23.
- Van Parijs, Philippe. "Competing Justifications of Basic Income." In *Arguing for Basic Income: Ethical Foundations for a Radical Reform*, edited by Philippe Van Parijs. London ; New York: Verso, 1992.

- _____. "Basic Income: A Simple and Powerful Idea for the Twenty-First Century." In *Redesigning Distribution: Basic Income and Stakeholder Grants as Alternative Cornerstones for a More Egalitarian Capitalism*, edited by Bruce A. Ackerman, Anne Alstott, Philippe van Parijs, Erik Olin Wright and Real Utopias Project. London ; New York: Verso, 2006.
- _____. "Hybrid Justice, Patriotism and Democracy: A Selective Reply." In *Real Libertarianism Assessed: Political Theory after Van Parijs*, edited by Andrew Reeve and Andrew Williams. Basingstoke: Palgrave Macmillan, 2003.
- _____. *Linguistic Justice for Europe and for the World*. Oxford; New York: Oxford University Press, 2011.
- _____ and Yannick Vanderborght. "Basic Income, Globalization and Migration." *Sustainable Utopia and Basic Income in a Global Era, Proceedings of the Basic Income International Conference* (2010).
- Vaughan, Sharon K. *Poverty, Justice, and Western Political Thought*. Lanham, Md.: Lexington Books, 2008.
- Walraven, Gijsbertus Engelinus Laurentius. *Health and Poverty: Global Health Problems and Solutions*. London: Earthscan, 2011.
- Warren, Elizabeth. "Sick and Broke." *Washington Post on the Web* (February 9, 2005). <http://www.washingtonpost.com/wp-dyn/articles/A9447-2005Feb8.html> (accessed September 19, 2011).
- Whitehead, Margaret, Göran Dahlgren, and Timothy Evans. "Equity and Health Sector Reforms: Can Low-Income Countries Escape the Medical Poverty Trap?" *Lancet* 358, no. 9284 (2001): 833.
- Young, Iris Marion. "A Multicultural Continuum: A Critique of Will Kymlicka's Ethnic-Nation Dichotomy." *Constellations* 4, no. 1 (1997): 48-53.