Of Bonds and Boundaries

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> Why should the boundaries of states be viewed as presuppositions of justice rather than as institutions whose justice is to be assessed?
> —Onora O'Neill *Bounds of Justice*

After the devastating earthquake and tsunami struck Japan on 11 March 2011, new forms of social bonds began to appear. Social bonds are usually conceived as resting on special relationships between agents, on moral attachments, or on received boundaries that delimit the extent of the nation or group. But the social bonds that, especially among young people, are now being mustered in response to catastrophe take on a slightly different form. They seem freer and less partial, for they assume that anyone who has suffered from disaster should be aided by anyone who can help, independently of all borders erected by differences of class, race, culture, or gender. Furthermore, this help is viewed as a form of political action that promotes the central ideas (and ideals) of a constitution based on the right to life, freedom, and well-being. This experience bears witness, perhaps, to the arrival of a new stage in social relations and, consequently, in the sciences that reflect upon them.

In the social sciences and the humanities, social changes are sometimes the occasion of theoretical breakthroughs. One reason this is so is that the basic frameworks of many disciplines—for example, ethics or political philosophy—often contain presuppositions about the world that are taken for granted without further ado and that, after a while, tend to be viewed as logical truths. When the world changes, these assumptions may turn out to be false, which may bring about the realization that some basic postulates are in need of revision. For example, the relationship between special provisions for particular groups and universal rules of justice is generally conceived in terms of a dichotomy between the universal and the particular, where universal rules are thought to exclude special treatment for some and particular claims are

viewed as necessarily contradicting the ideals of universality, equality, and neutrality. This dichotomy forces agents to choose one against the other, to elect the particular or to embrace the universal.[1]

This way of framing questions of multiculturalism, or the demands of various groups and minorities—ethnic, religious, women, gays and lesbians, etc.—is, we shall argue, grounded in specific empirical conditions; it does not correspond to a necessary logical opposition. For a long time, these conditions have generally been satisfied, at least within the Western world, but recently the institutions that ensured their satisfaction have begun to change, and the dichotomy between the universal and the particular does not, in consequence, seem as evident an answer to and explanation of the difficulty.

The socio-historical conditions that guaranteed the temporary adequacy of these transitory "truths" are not independent of the beliefs of agents, but they nonetheless cannot be reduced to them. Simply stated, the dichotomy of the universal and the particular only makes sense within the context of a larger entity, where the bonds that hold together members of the group also constitute a boundary that separates that group from other groups. This conjunction of bonds and boundary may be the case of the smaller group only, of the larger encompassing entity, or of both. The language of the universal and the particular as it is used in ethics and political philosophy presupposes the existence of smaller groups and of a larger entity to which these groups belong in some sense. The dichotomy of the universal and the particular depends on the way in which the borders of the sub-groups and the boundaries of the overall population are construed and constructed and, in particular, on the relation of these borders with the bonds that attach together the members of these different entities. To say that it depends on the way these bonds and boundaries are "construed and constructed" is to say that it depends both on how agents conceive these bonds and boundaries and on the way in which they are instituted and made real in social relations.

The Universal and the Particular

Various social movements and the theoretical trends of multiculturalism, feminism, and other forms of the politics of difference, as well as communitarians and liberal nationalists, can be considered as both symptoms and agents of the transformation of these empirical conditions. Many among those who hold such positions have taken sides

in the dispute between particularism and universalism, embracing one and rejecting the other. This, however, has not been the case of everyone. Other authors have tried to avoid the dichotomy and, in general, they have presented their reluctance to choose one against the other as motivated by a commitment to liberalism or, at least, if not to liberalism as such, to liberal democracy.

Kymlicka (1995) for example, argues that the focus of liberalism on individual rights and its dismissal of minority rights are recent historical accidents. According to him, the exclusive attention to individual rights constitutes a trend that only became dominant after the Second World War, rather than a necessary aspect of liberalism. He argues that there is no contradiction between the universal ideal of liberalism and attention to particularist claims. Similarly, Nussbaum (2009) argues that liberalism has the necessary conceptual resources to respond to the challenge of feminism, and that doing so can only lead to a better version of liberalism and to a more open form of universalism. Tully (2008: 254–55), in *Public Philosophy in a New Key,* recently argued that the defense of basic civic and personal liberties entails, rather than contradicts, the protection of the diverse cultures present in a democratic polity. Already in "The Politics of Recognition," Taylor (1994) had argued that the same desire for recognition underlies the demand for universal individual political and social rights and the demand for cultural rights, implying that group and cultural rights constitute an extension of individual and civic rights.

This book should be seen as a further advance in the same direction, arguing in favor of the compatibility of particular demands with the ideals of universality, equality, and neutrality. Yet, if many authors affirmed that special provisions are, or can be, compatible with universal rules, all, to our knowledge, have taken for granted the dichotomy of the universal and the particular. They never directly questioned its relevance to the issue at hand and simply tried to escape its hold.

For example in *Multiculturalism and the Welfare State,* editors Banting and Kymlicka (2006) propose a comparative analysis of the effect of multicultural policies on welfare in a number of countries and a reflection on their compatibility. In their introduction, they identify two major difficulties concerning the relationship between multicultural and welfare policies. One is whether in practice there is a trade-off between commitment to multicultural policies and to the welfare state. The other is whether the encouragement that is given to ethnic and racial diversity by multicultural policies reduces the feeling of national solidarity that is necessary to sustain redistributive policies. Their prudent

conclusion is a guarded negative answer to both questions. In the cases they studied, the development of multicultural policies didn't have a negative effect either on welfare policies or on national unity, which are both understood as structured by the ideals of universality, anonymity, and equality.

This is certainly an important result in view of the commonly heard criticism that multiculturalism takes away resources from welfare policies (Hewitt 2005). However, their very way of framing the problem from the outset as a kind of either/or issue suggests the validity of the dichotomy between the universal and the particular. It suggests that encouragement to ethnic and racial diversity *should* weaken national solidarity, just as commitment to multicultural policies, i.e., to particular groups, *should* draw resources away from universal welfare policies. This presupposition is perhaps what explains their prudence; for all that Banting and Kymlicka have, in fact, shown is that, in a limited number of cases over a short period of time, the commitment of some states to multicultural policies did not reduce their commitment to universal welfare policies. This restricted empirical result cannot show that such a trade-off may not happen in different circumstances or even that it does not constitute the rule of what *should* happen.

It is true that Banting and Kymlicka (2006: 10) also claim that multiculturalism "is inextricably linked to widely accepted norms of freedom, equality, human rights, and democracy," suggesting that the compatibility between the two types of policies is to be expected. However, such a claim merely asserts that, appearances notwithstanding, multiculturalism is really on the "good side" of the dichotomy: that of the universal. Yet, since many people believe this not to be the case and argue, like Barry (2001), that multiculturalism is really on the side of the particular, they will consider this empirical result as an anomaly, an accident, due perhaps to the fact that budget pressure was not too high or to the fact that multicultural policies have not been around long enough to take their toll on national unity.

This book takes steps in the direction of deconstructing the dichotomy of the universal and the particular, showing that what gives rise to this way of looking at the problem is not the logical opposition between the universal and the particular, but particular empirical conditions. Construing the relation between the claims of various groups and cultures and the universal requirements of justice in terms of the dichotomy between the universal and the particular is not the expression of an inescapable and eternal logical distinction but reflects the way in which various groups are partitioned within a larger population. It de-

pends, more precisely, on the relationship between the bonds that hold together the members of a group and the way in which the boundaries between groups are construed and constructed.

The displacement of this fundamental issue, from a sterile opposition between the universal and the particular to an empirical question concerning the relation of bonds and boundaries, emerges from relating to each other the different contributions that make up this volume, rather than being a thesis that is explicitly defended in most of its chapters. This result clearly emerges in the conclusion of the book, "Social Bonds as Freedom," which brings together the findings of the empirical enquiries on social bonds and boundaries, of the reflections on the practices of the universal and on the boundaries of the universal in various conceptions of justice, and of incursions into a revised liberalism that promotes new relations between the universal requirements of justice and the claims of particular groups.

This book is thus divided into three parts. The first, "Social Bonds in Transformation," inquires into the transformation of the relationship between the bonds that hold together members of a group and the boundaries that determine the limits of that community, as well as the nature of those bonds. The second part, "Beyond Imperial Universalism," looks into the ways that, both practically and theoretically, universalism tends to be bounded—that is to say, the way it tends to be limited to certain groups. Historically, the universal never contained everyone. In spite of its claims to the contrary, universal justice always ends up excluding some individuals from the benefits and equality it promises to all. Part three, "Towards a Reconceptualization of Liberalism," re-examines some of the basic concepts of liberalism and evaluates their ability to bypass the dichotomy of the universal and the particular—their ability to address in a different way the conditions that foster the illusion of a logical deadlock.

Social Bonds in Transformation

Saskia Sassen, in chapter 1, focuses on citizenship, a national institution that delimits the inside from the outside of a modern state. Citizenship distinguishes those to whom we owe allegiance from non-citizens, residents whose rights are more limited, and from aliens, who always remain potential enemies. Citizenship, argues Sassen, should not be seen as a monolithic institution; rather, it should be conceived as a bundle of rights and privileges that can be assembled in a variety of ways. It con-

stitutes an incompletely formalized social contract between the state and its members, which, precisely because it is incompletely formalized, can accommodate changes and revisions. According to her, historically it is outsiders and others excluded from citizenship who have been essential to the incompleteness of the institutions. They were and remain the engines of its transformations. It is therefore important, argues Sassen, to distinguish the formal exclusions that are made by the institution from the incompleteness of the formalized institution. For example, those who actively participate in the life of the community where they are settled, such as longtime illegal immigrants, are recognized, but they remain unauthorized because they are formally excluded from citizenship. There are also others, who, though they are fully authorized, inasmuch as they are formal citizens, are nevertheless not really recognized—for example, the members of minority groups whose grievances are not considered legitimate. It is through the claims and the practices of both types of marginal or partial citizens that citizenship evolves. For example, when an undocumented alien is granted a mortgage to buy a house, she gains in practice a right from which she is formally excluded. These reassemblages of the bundle of rights characteristic of citizenship result, Sassen argues, from responses to global pressures which are expressed in the practices of individuals, practices that are located at the sub-national level of everyday social interactions between individuals. Therefore, claims Sassen, citizenship should not be construed as a purely national institution, rather it constitutes an important meeting point of the national and the global, a meeting that takes place, however, at the local level.

In consequence, even if at an abstract formal level it may seem that the essential characteristics of citizenship have changed very little during the last century, the institution is in fact undergoing significant mutations through the practices of different types of marginal agents. In these mutations of citizenship, we can recognize the changing relationships between the inside and the outside of the state, between the universal and the particular, and we can witness the transformations of the bonds that unite us and simultaneously separate us from others.

Mauro Magatti, in chapter 2, adopts a more pessimistic view of the changes brought about by globalization. According to him, the present period is characterized by the continuous expansion of the macro technical system, of functional institutional spheres, and of a deterritorialized aesthetic sphere. The macro technical system refers to the growing worldwide technological integration resulting from efforts to create compatibilities between technologies in the hope of expanding

the market for an ever greater number of different products. Functional institutional spheres are networks integrating the different aspects of institutions, such as health care or transportation, whose explicit function in consequence of this integration progressively becomes the institution's unique rationale. Of course, medicine must cure and transportation systems should allow people to travel, but, traditionally, these services simultaneously fulfilled many other social functions. For example, they provided occasions of socialization for older persons or functioned as symbols of national unity. The diminishing importance of these other roles, argues Magatti, comes from the fact that, by being organized around common codes and rules, these services become independent of (and indifferent to) cultural and local particularities. This reorganization permits a greater integration of services between countries and the exchange of personnel between them, but it also makes these institutions more independent from the authority of different states and from national priorities. The development of functional integration progressively leads to a form of transnational governance that is exclusively responsible to the bureaucratically defined function of the service. These social and technological transformations culminate in the establishment of a deterritorialized aesthetic sphere, which goes together with the increasing mobility of persons, products, and cultural symbols. At the same time, the growing mobility of populations leads to a situation where, in many parts of the world, it becomes more and more difficult to identify stable cultures shared by specific groups attached to particular territories.

The deterritorialized aesthetic sphere is a response to these changes. It is characterized by a plurality of partial orders and by the constant change and replacement of values and symbols. In consequence, hierarchically organized systems of obligations and the loyalties that were characteristic of national cultures are progressively being replaced by a "universal" culture of "instant happenings." It gives pride of place to the momentary experience of what is presently going on and abstains from narratives that make sense of the present by integrating it into a continuous history. These social and cultural transformations induced by techno-nihilistic capitalism,[2] argues Magatti, are slowly destroying the conditions that made citizenship and democratic participation possible. They subvert the territorially bounded universality characteristic of the nation-state and make acceptable its disappearance. These changes, according to Magatti, lead to the simultaneous diminution of the bonds that unite the members of the state and of the boundaries that separate it from other states.

Both authors focus on the transformations of moral bonds and boundaries and on the ways in which the practices of agents upset the formal characteristics of institutions. Saskia Sassen shows how, through such practices, the borders of citizenship, traditionally viewed as exclusive, are being redrawn and how, while remaining formally identical, citizenship is progressively becoming denationalized. Mauro Magatti, though he takes a more negative view of the process, fundamentally agrees. He argues that the universality that is characteristic of the laws and services of the nation-state is progressively being emptied of its content and replaced by functional systems that are indifferent to the narratives that previously authorized the access of different categories of agents to different rights or services.

Chapter 3, by Laurent Thévenot, is built on analytical categories with which most readers are probably unfamiliar, those of *regimes of engagement* and of *grammars of commonality in the plural.* Novel and strange as these categories may seem, they seek to capture central yet ordinary aspects of human life. Regimes of engagements are ways of being in the world. For example, "the regime of engagement in familiarity" refers to the relation of intimate attachment that a person has to what is familiar to him or her. Familiarity provides ease of action, comfort, and a form of security. However, because it is uniquely particular, it is also exposed to forms of harms to which other types of relation to the world are less sensitive. The loss of what is familiar—for example, of the house in which one was born and raised—cannot be compensated; the house can be replaced, but only by another house that necessarily lacks that which made unique the one that has been lost. Thus, regimes of engagements do not only seek to capture the relation of agents to the world, but also the various ways in which persons and their environments reciprocally transform each other. Parts of the world become familiar to us as a result of our actions, and the familiar consequently determines the way we interact with it and with other agents. Thévenot recognizes three such regimes of engagement: engagement in familiarity, engagement in a plan, and engagement in qualified justification for the common good.

Corresponding to these different ways of being with each other and in the world are three grammars of commonality in the plural: the grammar of personal affinities to commonplaces, the liberal grammar of individual preferences, and, finally, the grammar of plural orders of worth. Grammars are, in a broad sense, forms of justifications, ways of making sense—for ourselves and to others—of issues relative to the different regimes of engagement. They bear witness to the fact that we

always act in common; even the regime of engagement in familiarity is inevitably a way of being with others, both with those who are allowed into our intimacy and those who are not. Thévenot inquires into the limits of these different grammars, showing how each one is open to different forms of abuse and can lead to exclusions.

One important aspect of these analytical categories is that they are, so to speak, orthogonal to cultural or national distinctions. Whether you are a French republican, a Muslim living in the Middle East, or a Buddhist monk in Japan, you have a domain of familiarity in which some others can be invited and from which other others are excluded; you share plans and projects with others or are exposed to the consequences of theirs; and you are sensitive to and a promoter of various definitions of the common good. These categories focus on ways of being and of acting together, rather than on values that are either shared or not shared, and rather than on rules that are either conceived as culturally relative or as universal.

In consequence, regimes of engagement in a multicultural society often reveal forms of commonality that bypass cultural or group differences. Thévenot illustrates this with examples of resistance to the expulsion of undocumented aliens in France that were motivated not by traditional political commitment, but by affinities to a common place. The local school, shared by children of French citizens and of illegal immigrants, became the rallying point of actions to protect a world with which all were familiar. Regimes of engagement and grammars of commonality suggest that in multicultural societies, transgressions of cultural barriers are frequent, and they allow us to understand how agents from different cultural backgrounds can successfully coordinate common shared actions. They also reveal the extent to which the values present in commonality can be different from and independent of our shared or divergent public values. Rather than trying to locate the bonds that come to be established between agents in a space that is bipartitioned between particularity and universality, or between culture and universal equal treatment, Thévenot analyzes the processes through which bonds can arise in the absence of shared values.

The last chapter of part one is a reading of Hegel's *Philosophy of Right,* by Axel Honneth, which criticizes the poverty not only of our conception of freedom, but also of the forms of freedom that are practiced and made real in our social world. Hegel, according to Honneth, was a sociologist before the term was ever coined. Not only did he analyze and describe the social world, but he also recognized that fundamental aspects of ethical life lie in social institutions and in the rela-

tions in which individuals engage. Ethics, according to him, is not an individual but a social science. Hegel considered that there were three different forms that human freedom can take. The third and superior form is realized through what he considered were the basic institutions of society: the family, market economy, and constitutional monarchy. Independently of Hegel's specific characterization of the fundamental institution of "ethical life," what is important, according to Honneth, is the idea that true freedom only exists in relations between persons where each one can recognize himself or herself in the free activity or desire of the other.

According to Honneth, the two lesser forms of freedom identified by Hegel correspond, more or less, to what Isaiah Berlin called "negative freedom"—an unimpeded sphere of individual activity—and to Kantian moral autonomy, the ability to determine oneself in relation to what one views as good, right, or moral. If these are deemed by Hegel to be inferior forms of freedom, it is, in the first case, because there is no guarantee that the desires that motivate the agent in his or her individual sphere of activity are themselves free, and, in the second case, because "freedom" here, lacks the moment of "objectivity," where the agent recognizes in the other the expression of his or her own reflexive self-relation. In both cases, freedom ultimately presents itself as freedom of choice within a list of well-motivated options. However, according to Hegel, it lacks a fundamental dimension of "ethical life," which is the recognition of oneself and of one's own freedom in the freedom of the other.

Nonetheless, it is significant, according to Honneth, that Hegel neither dismissed nor rejected these lesser forms of freedom. To the contrary, he judged that they were essential to modern society and to the realization of ethical life. By maintaining these "subjective" forms of freedom in his ethical system, he opened the door, probably against his will, argues Honneth, to the historical transformation of an edifice that he tended to view as definitively completed. By maintaining these two forms of freedom, Hegel implanted in ethical life a dynamic mechanism through which protests in the name of what one believes is good and the conflictual changes that result from dissent can become part of the realization of freedom.

Thus, the contemporary relevance of Hegel, according to Honneth, is to help us to understand how impoverished our freedom is when it remains confined to the claims of individual rights and of moral autonomy. These forms of freedom are indispensable and fundamental, but they remain limited. Real freedom can only be achieved through institutions and relations in which each one can recognize himself or

herself in the other. Hegel thought that there is a history of freedom, of equality, and of the universal. He thought that, historically, it is only through institutions and social relations that these ideas are made real and concrete. It is also true that he thought that the social embodiment and realization of freedom could only appear at a certain moment in time, before which neither freedom nor equality could really exist. Hegel further thought that this advent was final and definitive. Yet, argues Honneth, Hegel embedded in his analysis a dynamic mechanism that suggests, contrary to what he thought, that we have not yet reached the "end of history" and that ethical life is permanently at stake in the transformation of social institutions.

In his way, Honneth provides a philosophical reading of the transformations of social bounds and boundaries that Sassen, Magatti, and Thévenot have been documenting and analyzing. Honneth focuses more on the way in which social bonds are realized through relations between agents and less on the formal dimensions of institutions. He insists on the ethical dimension present in such bonds and on the requirements of a fulfilling ethical life. In this way, he brings to the fore the ethical dimension of social bonds and boundaries that remains implicit in the three other contributions.

Beyond Imperial Universalism

The universal, of course, is an idea that can be conceived in a variety of ways, but, in the world in which we live, the universal is also practiced. Non-government organizations, international agencies, governments, international treaties and tribunals, and many other institutions practice the universal, and these various practices confer upon it different shapes. As argued by Honneth, the universal is made real: it is given form and substance by institutions. It is through them and the actions of agents that the universal becomes concrete and effective. In this context, the question of the relationship between how it is conceived and how it is effectively realized becomes centrally important. However, this question tends to be viewed as a simple top-down issue, where failures in thinking explain the limits of actual practices. The four chapters in this section, in contrast, give a central place to the *practices of the universal,* which they recognize as significant in their own right, rather than as mere symptoms and expression of how the idea is conceived.

Fuyuki Kurasawa, in chapter 5, "Western Humanitarianism and the Representation of Distant Suffering," argues that Western humanitari-

anism, even if it is underwritten by two fundamental universalist principles—impartiality and unbounded charity—nonetheless unwittingly recreates hierarchical distinctions between the people of the world. Impartiality, the idea that care must be extended to all victims of crises regardless of their status or location, and charity, the idea of unconditional benevolence for those in need, both entail a rejection of differences in favor of universal egalitarianism. However, humanitarian campaigns for victims of crises that exploit our emotions to make us sensitive to the pleas of suffering others do so in a way that does not encourage the recognition of their moral equality. In particular, an analysis of the visual representations of suffering others shows them to be pictured as helpless, passive victims, as innocent, vulnerable human beings who are unaware of the structural forces that are tearing their life apart and who are radically unable to help themselves. Central to Kurasawa's argument is the claim that the cultivation of good conscience and of a feeling of moral superiority is fundamental to the donor's willingness to give.

Such representations of the victims of crises, argues Kurasawa, are particularly troubling in the case of humanly constructed, conflict-based crises, which are the focus of his chapter. Instead of viewing the victims of these crises as equals whose rights have been violated—as actors who are striving to survive in difficult circumstances—we perceive them as suffering others who awaken our pity and charity. Such "good sentiments," argues Kurasawa, do not promote critical understanding of their plight, nor reflection on the role we may have played in what is happening to them. To the contrary, they encourage a feeling of moral superiority in relation to strange others "who cannot even help themselves."

This tension between the universal equality of all who should be helped regardless of any difference that separates them from us, and the moral superiority of donors, which Kurasawa denounces, is not, he claims, something new. It was already present at the very inception of Western humanitarianism, which was always conceived as fulfilling a duty of assistance towards the "distant needy" rather than as satisfying the requirements of justice among equals engaged in a common enterprise. Western humanitarianism in its present form is essentially ambiguous. It rests on the recognition of universal equality and simultaneously reinforces current prejudices and divisions that negate this equality. Kurasawa, in conclusion, calls for a new form of humanitarianism, one that "mobilizes a different set of moral sentiments, namely, outrage and revolt at the perpetuation of structural injustices and the reproduction of massive socio-economic inequalities."

Wolfgang Palaver, in chapter 6, "Parochial Altruism and Christian Universalism," addresses in a different language some of the issues raised in the previous chapters. Parochial altruism is the conjunction of altruism inside the group and enmity towards outsiders. It corresponds to the basic idea that solidarity is always simultaneously *with* some and *against* others. Parochial altruism is an expression of the idea that bonds always imply boundaries. Building on results of Bowles (2006, 2008) and Girard (1977), Palaver argues that since the beginning of humanity, parochial altruism has characterized cooperation among humans. The greatest difficulty societies have always faced has been to institute forms of solidarity that did not require conflicts with outside enemies. Following Bergson's distinction between closed and open religions and moralities, Palaver argues that open religions offer a way out of the impasse created by parochial altruism. The parable of the Good Samaritan in particular illustrates how charity can allow us to overcome the divisions that imprison us into antagonist groups, for the parable is not only about benevolence and kindness to those who are in need, but about care for a person who is a member of an outside group, an enemy. The Good Samaritan, who is the enemy of those to whom this parable is being told, breaks free from the parochial altruism of his group to help one of his enemies (a member of the listeners' group), who has been the victim of a violent aggression. By giving the Good Samaritan as an example to imitate, the parable seeks in turn to disarm the parochial altruism of its listeners. Numerous religious traditions, argues Palaver, introduce us to a form of solidarity that neither implies nor requires the presence of outside enemies. However, taking advantage of that opening, he argues, is only possible if we recognize our relation to a transcendent God.

Institutional religions nonetheless rarely succeed to live up to this lofty ideal. A particularly clear example of this failure is provided by the term "parochialism" itself, which is used by Bowles to qualify altruism. It derives from the Latin word for parish, the basic church community, and refers to an attitude of exclusion that is certainly not foreign to the history of Christianity. In fact, insists Palaver, historical Christianity is a mixed religion in which the closed elements are only slowly being transformed and, through this long process, is gradually being turned into a really universal religion. Historically, the Constantinian shift that took place when Christianity became the official religion of the Roman Empire gave rise to "imperial universalism," which is an important example of the entanglement of closed and open patterns of morality. This form of universalism is still with us, argues Palaver, and profoundly informs most current moral theories. It may be defined as imperial *uni-*

versalism, because it is open to all and therefore implies a form of universal equality, and as *imperial* universalism, because it recognizes only one form of the good life or of the just society, which it tries to extend to and impose on all. Imperial universalism typically fails to recognize and to accommodate differences and only views them as obstacles to the realization of true universalism.[3]

These two chapters deal with some of the ways in which our universal ideals can fail. They also suggest that the failures in this case are related. In spite of their different understanding and evaluation of charity, Palaver and Kurasawa would probably agree that the ambiguity of Western humanitarianism towards suffering others, who are seen both as equals and as in some way morally deficient, constitutes a form of imperial universalism. It bears witness to a moral judgment that measures others on a unique and unified scale that it considers universal. Both authors also focus directly on practices of the universal, those of humanitarianism and of religion.

The next two chapters center on different ways in which political practices and institutions can profoundly distort universalism. In chapter 7, Paul Dumouchel inquires into the justification of partial commitment in liberal moral and political theory. How can a theory that claims as its starting point that individuals are the basic units of moral concern, sharing an equal moral value, simultaneously argue that compatriots should be granted a higher moral importance relative to more distant others? This contradiction is especially striking in a world like ours, where very often the greater distance that separates these others from compatriots has no other basis than the fact that they are not citizens. In this case, this distance does not correspond to any physical or geographical distance, or even to a lack of social proximity—these others may be our next-door neighbors—or even many times to any significant cultural difference. Dumouchel first rejects the common claim that the moral priority that we accord to compatriots is an expression of special or associative duties—that is to say, of obligations that we have towards some others only with whom we entertain special relations. He argues that the compatriot principle and other similar principles that formally grant a moral privilege to co-nationals are universal claims that equally extend to all citizens or to all members of the nation. Loyalty to compatriots is not a special duty. It is an equal universal symmetrical obligation extending to all individual members of the class to which it applies: the nation. The tension between such claims and the universal moral egalitarianism of liberalism is therefore falsely represented when construed as an expression of the dichotomy of the universal and the particular.

The compatriot principle is a universal obligation of lesser scope than the unbounded universal moral egalitarianism of liberalism, rather than a different type of duty. The question that this bounding of the universal raises is *why:* through what principle is the reduction of the scope of the obligation justified?

Richard Miller offers an interesting answer to this question in a recent article. He argues that at least one form of the priority-of-compatriot principle is grounded on the principle of universal equal respect; that form is the patriotic bias in tax-funded aid, which is to say the common belief that tax-funded aid should go first to underprivileged co-nationals rather than to distant others, even if the latter may be much more needy. This common belief, says Miller, is justified by the universal equal respect that we owe to all others and in particular to co-nationals with whom we participate in a system of reciprocally imposed coercive rules and obligations. Miller's argument, claims Dumouchel, is in truth a variant of classical social contract arguments, like those of Hobbes, Locke, or Rawls. However, unlike these authors, Miller assumes from the outset the legitimacy of the state and of the inequalities that persist within it. In consequence, he actually presupposes what he wants to demonstrate: the existence of moral relations that ground the obligations that co-nationals owe to each other and that separate them from others. This circularity is not so much damaging to Miller's argument as it is revealing. It makes clear that, contrary to what Miller argues, the real focus of the compatriot principle is not social and welfare rights, but the moral status of persons. The coercive power of the state that universally guarantees the basic rights and freedom of all those who take part in the pact of association simultaneously dissociates them from others—foreigners and non-nationals. Therefore, argues Dumouchel, the moral priority we grant to co-nationals is neither a mistake nor an illusion, but a consequence of the way in which we have institutionalized basic rights and freedoms through the coercive power of a state that holds the monopoly of the legitimate use of force. The contradiction between partial commitment to the state and universal obligations therefore proceeds from some of the basic presuppositions of liberal political theory. Commitment to a more open form of moral universalism, one that is neither splintered nor abridged by the divisions between nations, therefore requires us to readdress those fundamental presuppositions.

In chapter 8, "A Reluctant Cosmopolitan," Anne Phillips analyses the reasons why she is disinclined to accept being called a cosmopolitan, even if she accepts the basic tenets of this conception of justice. Her starting point is the manifest tension between multiculturalism, which

stresses the importance of particular loyalties and identities in shaping our humanity, and cosmopolitanism, which, in contrast, insists on the universality, generality, and equality of moral claims. In the last few years, serious efforts have been made at bridging the gap between these two positions. However, there remains the question of whether this narrowing of the difference is the result of an original misrepresentation of the two positions or if it corresponds to a real rapprochement that could constitute, as she says, "a model for rethinking the relationship between justice and culture."

Phillips considers three sets of philosophical objections to cosmopolitanism: first, that cosmopolitanism commits us to a form of abstract universalism that ignores specificity and difference; second, that it gives insufficient weight to special bonds and attachments; and third, that it fails to perceive that inclusions simultaneously lead to exclusions. All three types of objections, she argues, can be successfully rebutted. Cosmopolitanism does not *have* to be indifferent to particularity, insensitive to special attachments, and narrow and exclusive. Its universalism can be grounded in the recognition of our shared vulnerability to pain and suffering. There is no reason to judge that cosmopolitanism necessarily rejects the bonds of attachments or that it understates their value. Furthermore, arguments that denounce universal obligations as being too distant to be motivating are not convincing. It is often claimed that obligation towards distant needy others fails to move agents to action. However, as Phillips says, "[we] are perhaps too willing to see in the widespread reluctance to share resources with people in distant lands a refutation of cosmopolitan fantasies. We should perhaps look more closely at the widespread reluctance to share resources with anyone before reaching that conclusion." Finally, if it is true that universalism has never meant everyone and therefore has always implied exclusions, it is nevertheless a well-known fact that, historically, many of those who were originally excluded were later included. It would be an error to see this as a kind of progressive march toward the true universal. What was involved in those transformations was not the simple extension of a category, but the challenge of thinking differently about what being human means. This remains true today: being attentive to exclusion implies a renewed understanding of cosmopolitanism. The real question, therefore, is not that of choosing between "isms," but of choosing the appropriate version of cosmopolitanism.

In spite of the fact that philosophical objections to cosmopolitanism, according to her, are not convincing, Anne Phillips still hesitates to define herself as cosmopolitan. Why? Her reluctance is, she explains,

to some extent political. When Europe "is rushing headlong into bans on the public wearing of the hijab, niqab, and burqa, one should be prudent about endorsing a position that is too often conceived as the opposite of multiculturalism." Beyond this contingent political situation, and more importantly, there is, she says, the ghost of the hierarchical relation between the traditional and the modern. In consequence, she remains a skeptical multiculturalist and a reluctant cosmopolitan.

In the terms used in earlier chapters of this section, what feeds her reluctance at being labeled a cosmopolitan is the specter of imperial universalism. This danger is not simply a theoretical issue, but mostly manifests itself in the way universalism is embodied and realized through policies and institutions. Because imperial universalism represents as "universal" the bonds that define it, what it excludes can only subsist as an expression of particularism—of local customs and traditions that fail to reach out to the universal.

Towards a Reconceptualization of Liberalism

Can liberalism move beyond the dichotomy of the universal and the particular? Can it escape parochial altruism and imperial universalism, or are they so deeply ingrained in its conceptual structure that it cannot open itself to a new understanding and to new practices of the universal?

Individual autonomy is more and more often considered the foundation of liberal political morality. During the second half of the twentieth century, the concept of autonomy also gained a central place as a public value in Western liberal democracies. According to Geoffrey Brahm Levey, the critics of autonomy are right in their claim that this concept is often used as a blunt argument stopper to reject the claims of minorities. It is true that it frequently functions as a prop for imperial universalism. Nonetheless, these critics, he argues, wrongly conclude that autonomy should be abandoned or that it is too narrow and culturally limited an ideal to ground public life in a multicultural society. To the contrary, says Levey, autonomy "speaks to the interests of cultural minorities negotiating life today in liberal societies."

Rather than the abstract idea of autonomy, the starting point of chapter 9, "Liberal Autonomy and Minority Accommodation," is the way in which autonomy functions in public discourses in multicultural liberal societies. Instead of searching for a purely theoretical solution to the question of the relation of individual autonomy to the values from other cultures, Levey asks how autonomy considered as a public value

informs the policies of liberal societies. How does it influence the responses that can be given to the particular claims of minority cultural groups? In order to answer these questions, he proposes a five-dimensional taxonomy of the practice of autonomy. An autonomous action must be voluntary (volition); it must correspond to the well-considered preferences of the agent (authenticity); it must be arrived at without undue pressure or outside influence (procedural independence); it should respect the autonomy of others (reciprocity); and should not be self-contradictory, in the sense that an agent's exercise of autonomy should not deprive him or her of the ability for autonomous choice in the future (inalienability).

Understood in this way, argues Levey, autonomy is a much more complex, open, accommodating, and truly democratic value than is often assumed by both its advocates and by its critics. Using various examples, those of the hijab, the kirpan, of the refusal to wear a motorcycle or construction helmet on the part of turban-wearing Sikhs, of male circumcision, and of female genital mutilation, Levey shows how these five criteria afford minority cultures handles to reasoned and thoughtful public discussions across cultures. Of course the weight that should be accorded to the different dimensions of autonomy is not fixed a priori. It is the temporary result of ongoing political negotiations, just as is the importance of autonomy relative to other social values such as public health or safety. In consequence, practices that are similarly placed in regard to the five criteria listed above will sometimes be treated quite differently. This, however, is how it should be, not only because of varying social circumstances, but also because cultures themselves change and, to a large extent, change as the result of these ongoing negotiations and discussions. It is not only the content or structure of the concept or value of autonomy as such that determines its capacity to accommodate and to coexist with other values, but also the practice of autonomy as a reference in public debates, and, in its practice, autonomy often turns out to be a lot less foreign or distant from the values of other cultures than it is generally thought to be.

Accommodating cultural diversity in a multicultural society can also mean departing from the principle of formal equality in order to defend specific groups, either national minorities or other groups that, in the past, experienced colonialism or other forms of injustice. According to Gurpreet Mahajan in chapter 10, "Cultural Boundaries and the Reasonable Accommodation of Minorities," such approaches suffer from two major difficulties. First, because they ignore the processes through which cultures are constantly being renegotiated and differences ho-

mogenized, they tend to objectify cultural communities. Second, they depend on specific, exceptional situations. In consequence, they fail to address the range of practices that are seeking accommodation in today's liberal democracies. In particular, they have little to say to the growing number and importance of claims made by religious communities. Secularism has recently been revisited in a way that does not in any manner imply renouncing equality or universality in an effort to address these demands within the framework of equal treatment, rather than of special provisions.

Chapter 10 seeks to evaluate the success of what has recently been defined as "open" (Bouchard and Taylor 2008) or "moderate" (Modood 2009) secularism. Unlike its more rigid version, this manner of secularism does not erect a wall between religion and politics. It begins by recognizing the importance of religion in social and individual life and wants to make room for religions in the public domain in a way that is fair and equal for all. Contrary to what is central in accommodation policies for national minorities, open secularism does not aim at providing protection for a distinct way of life, but at meeting the requirements of moral equality and of freedom of conscience.

If open secularism is open to allowing the expression and presence of religious symbols in the public sphere, it nonetheless "holds on to the belief that some religious symbols/practices may restrict or hinder the performance of one's professional and institutional responsibilities." It therefore shares with strict forms of secularism the belief that donning religious symbols can compromise the neutrality and impartiality of public officials, but mostly it partakes in the illusion that impartiality can be realized simply by removing all symbols of particular identities.

Open secularism that encourages us to listen and to attend to the claims of religious communities can facilitate a modus vivendi between them. However, argues Mahajan, it cannot create between them an "overlapping consensus" because it assumes that being situated limits an agent's capacity for dialogue concerning the beliefs and practices that define the self. Like more rigid forms of secularism, open secularism also fails to understand that being a member of a community is to be simultaneously constituted by sameness and difference. That is to say, membership in a community does not correspond to adopting one simple, once-and-forever-determined identity; to the contrary, it is something that is open to change and to constant renegotiation. The presence of nonhostile others can transform this intracommunal dialogue into a space for reconsidering one's cultural codes and norms, and liberal democracy *ensures* that others will be nonhostile.

However, secularism as a policy, whether open or rigid, argues that, in the public domain, these others should not be met as others, but as the same. In consequence, because it hinders the dialogue through which they are transformed, it ultimately and paradoxically confines agents to the identity that it wants them to abandon. In other words, both open and moderate secularism fail to satisfy the requirements of moral equality and of freedom of conscience because they subscribe to the belief that the bonds that hold members of a religious community together necessarily constitute a boundary that separates them from and opposes them to others. In consequence they require agents to hide the symbols that signify these bonds in the hope that privatizing the symbols will make the bonds disappear.

Reiko Gotoh, in the final chapter, "Arrow, Rawls, and Sen," proposes elements of a reconceptualization of liberalism. She analyses the continuity and discontinuities in the methodology of political economy and in the idea of liberalism in the contributions of Arrow, Rawls, and Sen. Her starting point is Kenneth Arrow's social choice theory, which can be seen as providing a particular formalization of some of the basic concepts of liberalism. A social choice rule, according to social choice theory, is a procedure that associates the (universal) set of individual values or preferences with a set of social choices. Any such rule, on which are imposed a number of conditions, can be viewed as a particular "constitution of liberty" in the sense that the rule defines the manner in which individual choices—the expressions of individual freedom—are translated in social options. Furthermore, in such models, individuals appear both as the evaluators and as the recipients of social policies.

Building on Amartya Sen's criticism of Arrow, Gotoh argues that one of the weaknesses of Arrow's original approach lies in the fact that liberalism is conceptualized in excessive proximity to market mechanisms, which fails to take into account considerations of justice in the translation of individual choices into social values. Rawls can be a useful guide to remedy this difficulty, but only if he is interpreted with care, for at first sight it may seem that, like Arrow, he also puts excessive emphasis on the need for a complete ordering of choices and on the determinacy of adjustment between different criteria. However, according to Gotoh, a more attentive reading reveals Rawls's position to be much closer to Sen's and sensitive to the indeterminacy of justice—that is to say, to the impossibility of giving a complete and definitive answer to every question of justice. This indeterminacy, argues Sen, neither makes justice impossible or meaningless, but it suggests that instead of aiming for an

exhaustive theory of perfect justice, we should take as our objective the reduction of patent injustices.

In response to the feminist and multicultural criticism of the abstract universalism of liberalism, Gotoh proposes a social rule, or "constitution of liberty," that addresses issues of justice using the category of *basic capability* in a way that is sensitive to differences in social positions and that can take into account incommensurable diversity in the content of basic capability among different groups—that is to say, a social rule that can respond to the fact that it may be impossible to determine who is the least advantaged in a society taken as a whole, by reason of the important differences that may exist between agents and groups. In consequence, this social rule, which is by definition universal, can simultaneously be sensitive to local differences between groups. Furthermore, it is consistent with the idea of *public reciprocity,* as well as with the individual autonomy of agents conceived as having multi-layered preferences.

One of the main contributions of Sen, which this approach develops, is the introduction in social choice theory of the idea of "positionality"—that is to say, the fact that the opinions, preferences, or interests of agents are expressed from a specific social or cultural point of view, which may be characterized through a bundle of parameters. The positionality of individual values can, in consequence, be taken into account without transgressing the requirements of freedom, impartiality, and universality that are central to liberalism. Therefore, claims Gotoh, beyond the analysis and reinterpretation of Arrow, Rawls, and Sen, what this chapter ultimately illustrates is the possibility of a reconceptualization of the "constitution of liberty" that can reflect the positionality of individuals both as evaluators and as recipients of social states, and, in consequence, the possibility of overcoming the dichotomy between universal rules of justice and the particular positions of groups and individuals.

The conclusion, "Social Bonds as Freedom," brings together the various threads contained in the three sections of this volume. We argue that the difficulties facing cosmopolitan justice or liberal multicultural societies are not adequately captured when they are imprisoned in a simple logical contraction. The dichotomy of the universal and the particular provides an in-principle explanation that has little to do with the complex and changing reality of the present world. Rather, it is the institutional and political relations between the social bonds that hold groups together, and the boundaries that separate them from each

other, as well as the way in which these are conceived, that allow or exclude the accommodation of the claims of diverse groups into a universal framework of equal justice for all.

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Notes

1. For a critical overview of the importance of the debate between particularism and universalism in ethics, see O'Neill 1996, 2000.
2. "Techno," because these transformations are made possible by and rest on continuous technological developments; "nihilistic," because it replaces meaning by the exaltation of immediate experience and the narratives that gave sense to our common life by exclusive attention to efficiency; finally "capitalism," because it is driven by the search for profit and economic growth.
3. Imperial universalism is implicit in what may be described as the paradox of liberalism—that is, when liberalism is conceived as the only moral form of social organization because it is open to the plurality of definitions of the good life.

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