

Hope and Fulfillment - David Ingram

“Rights, Democracy, and Fulfillment: Religious Faith and the Realization of a Realistic Utopia: A Discussion.” Philosophers in Jesuit Education, meeting with the Central Division of the APA. Thursday April 28th, 2005. 7:30 to 9:30 PM. Parlor A, Sixth Floor.

Background: I was raised in a conservative religious environment but became radicalized by the Vietnam War and the United Farm Workers struggle in California in the late 60's and early 70's. I studied with Herbert Marcuse at UCSD and wrote my dissertation on the Gadamer/Habermas controversy. I've written books on Habermas, critical theory, reason and politics; group rights, ethics and social justice; and (most recently) rights, democracy and fulfillment in the era of identity politics. Although I am not theistic, I have begun to explore the spiritual dimension of social justice commitment.

Today's Theme: I see hope and fulfillment as essential spiritual prerequisites for struggle vouchsafed to us from the salvific millenarian side of our Judeo-Christian culture and passed down to us through a secular and enlightened view of history, understood as a project that aims at progressive freedom and happiness.

The struggle for rights, democracy, and social justice was originally framed in terms of this grand revolutionary narrative.

But this struggle was also defined in terms of a more conservative counter-narrative that harkened back to the pagan wisdom of the ancients. This wisdom stressed the inherently tragic condition of a humanity divided against itself – a division reflecting not only the power of sub-rational passions but also the effects of parochial upbringing and circumstance (Madison).

The result: individual rights and constitutional representative democracy were also – and perhaps mainly – understood as pragmatic institutions limiting the abuse of power of unchecked tyrannical majorities and especially limiting the abuse of totalitarian power associated with total revolutionary change.

My general philosophy: I think it is imperative to affirm both sides of our Enlightenment heritage – the optimistic progressive side and the pessimistic conservative side, hence the importance of compromising each side against the other.

This means that those of us living in advanced liberal democracies give up the revolutionary aspiration for total immediate change through dictatorship (however benevolent); and it means that we give up the conservative opposition to progressive reform aimed at elevating (basic) subsistence, civil, and political rights above the right to private property.

The main thesis of *Rights, Democracy, and Fulfillment* (RDF):

Against the view espoused by progressive Todd Gitlin, I argue that identity politics, or political struggles that do not simply revolve around economic class, are a relatively permanent feature of any rational, pluralist society. Even if racial, ethnic, and gender differences and their corresponding disagreements were to disappear some day, other cultural (religion and morality-based) conflicts would not.

The challenge this creates for progressives: as long as those who are marginalized, disempowered, exploited, and oppressed are divided by identity politics, they will be easily controlled by dominant groups who always see that it is in their best interests to close ranks around their economic bottom line.

Sub-theses of RDF:

I. Human Rights (9 theses)

1. Rights have a dual meaning/function.

On one hand, they are enforceable guarantees of some minimally decent level of human flourishing, as defined by the exercise and cultivation of basic human capacities. so understood, they function conservatively – to protect individuals from abuse or neglect.

On the other hand, rights designate utopian potentials that aim toward realizing, enhancing, expanding and cultivating capabilities. so understood, their function is progressive, and shifts from providing minimal individual guarantees to furthering civil and democratic autonomy necessary for progress.

2. Different categories of rights imply one another.

Rights cannot be limited to protecting negative freedom from interference (as conservatives maintain) because even minimal action and its legal protection implies positive expenditures and capabilities that can be progressively realized.

Rights to security, liberty, political participation, subsistence/welfare, and culture (one's own) are equally important and necessary.

3. Although all categories of rights are equal in priority, within each category some rights are more basic than (have greater priority over) others (Shue).

4. There are many possible justifications for rights; the general legitimacy of rights depends upon the overlapping convergence of these justifications [Rawls].

5. Cross-cultural dialogue is essential for narrowing the justification and definition of human rights; human rights should be legally enforceable.

6. There is an unavoidable dialectic (or tension) between the pragmatic demand for legal enforcement and the democratic and utopian demand for flexible and open-ended application.

7. Therefore the application of human rights, as securing the minimal exercise and maximal development of human capabilities, is partly relative to context.

What constitutes capability [disability] in a simple agrarian society will be different than what constitutes capability [disability] in a complex industrial/cybernetic society.

8. Acceptance of too much cultural relativity renders agrarian (traditional) societies vulnerable to the predations of technologically advanced societies; it renders the whole planet vulnerable to the over-development of capitalist societies.

9. Group-specific rights are legitimate means for protecting vulnerable groups against domination (Kymlicka; Taylor).

II. Identity Politics (3 theses)

1. Identity politics is only one kind of politics of difference.

The politics of difference involves structural groups (defined in terms of their social positioning vis-a-vis wealth and power) as well as identity groups (defined in terms of their cultural identity).

Structural and identity groups sometimes overlap (e.g Catholics and Protestants in Northern Ireland) but they need not (e.g., the anti-racist struggle for inclusion is not equivalent to the multicultural struggle for recognition as a separate and distinct cultural identity).

2. There are two types of identity politics: preservative and transformative.

It is sometimes appropriate to preserve one's culture against assimilation to a dominant culture; but a long-term goal might be to accept the mutual transformation of cultures in equitable interaction and dialogue.

3. Not all identity groups are equally legitimate.

The legitimacy of a group is a function of whether its identity is rooted in injustice or some form of external imposition; whether it is socialized into its members as a rigid script beyond choice; and whether it is tolerant and in principle open to transformative dialogue. Racial identities are suspect, but affirming a sub-altern racial identity can be legitimate in struggling against discrimination. In the U.S., affirming one's blackness can be appropriate, but not affirming one's whiteness.

III. Democracy (6 theses)

1. Democracy is necessary for fully legitimating rights.

Rights cannot be fully guaranteed unless citizens have control over their meaning and enforcement.

2. Some kind of global democracy is necessary for realizing enforceable human rights.

3. Democracy must incorporate fair systems of representation and voting as well as fair and robust opportunities to generate informed public opinion (Mill, Guinier, Habermas).

Systems of representation and voting affect the quantity and quality of democratic dialogue; they must be context-sensitive in design.

4. Democracy is also a utopian project and should be extended to the workplace – what affects all should be decided by all (Walzer, Dewey).

5. Administrators short-circuit democracy by translating the justice-based public opinion of the people into efficiency-based expertise of crisis-management/crisis-avoidance.

Two ideologies drive this short-circuit: the ideology of technological expertise coupled with the ideology that distributive justice is less important than maintaining steady and controlled growth with an acceptable level of unemployment, inflation, and indebtedness.

6. Under capitalism, adjudication of basic rights torn between competing legal paradigms: liberal, welfare, and democratic.

Questions to ponder:

1. What are the strengths and weaknesses of Western conceptions of rights? How can the West learn from eastern traditions informed by Buddhism, Confucianism/Taoism/Hinduism?

2. Christian (Augustinian) traditions emphasize the divided nature of divinity; the fallen separation of humanity from God; and the divided nature of humanity. Islamic traditions emphasize the unity of God; the unity of God and all dimensions of human life; and the unity of humanity. How (if at all) do these different conceptions get reflected in different conceptions of state and civil society; different conceptions of rights?

3. In the arena of international law and human rights, should we tolerate broad multicultural differences in understanding basic rights as Rawls suggests, even if this means tolerating Islamic theocracies that have a non-liberal view regarding gender and religious equality?

4. How should international (cross-cultural) dialogue be conceived? Are there stages of dialogue? If so, what are they? Or, are cultural incommensurabilities too great to affect dialogue?

5. Does tolerance require **not** holding cultural and religious worldviews publicly (globally) accountable for their conceptions about rights? Is not holding them publicly accountable parallel to respecting the rights of individuals not to be accountable to the rest of society for their private religious convictions?