

**The Common Good in a Plural Society:
Muslims, Christians and the Public Arena in Britain**

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The candidate confirms that the work submitted is his own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

This thesis develops an idea of how the common good might be pursued in a plural society, beginning from Jonathan Sacks' vision of such a society as a 'community of communities'. It does so principally by developing Alasdair MacIntyre's concept of 'tradition'. Chapter 1 begins by assembling conceptual tools for the task, drawing on the work of scholars from a variety of disciplines. These include understandings of morality, plurality, community relations, the common good, the public arena, and modernity.

Chapter 2 begins to refine these tools through a case study of The Satanic Verses controversy. The analysis is achieved principally by viewing the controversy in terms of a conflict between two communities of interpretation, a 'literary community' and 'the British Muslim community'. While it is recognised that these constructs are over-simplistic, it is argued that the conflict can most fairly be viewed by seeing participants in the controversy as members of communities of interpretation, each with their own history, practices and identities at stake. In the course of the chapter, the 'literary community' is identified as broadly 'liberal' in outlook. Liberalism is then the topic of Chapter 3, in particular recent theoretical formulations of liberalism in the work of Rawls, Kymlicka and Galston, and their application of liberal theory to minority cultures in plural secularised societies.

Chapter 4 provides an account of the failure of such liberal approaches according to MacIntyre, developing his concept of tradition as an alternative way to safeguard the integrity of individuals and communities, and to pursue the common good in a plural society. Chapters 5 and 6 seek to understand aspects of British Muslim and Christian communities respectively in the light of this analysis, in particular their inter-relationship with British society, and their contribution to the common good. Chapter 7 then problematises and refines the concept of tradition through an examination of the work of John Milbank, suggesting an understanding of tradition which combines teleological orientation, emphasis on concrete cultural practices and recognition of difference. Finally, Chapter 8 applies this refined concept of tradition to two contested fields; the international debate on Islam and human rights, and multicultural, citizenship and religious education in schools in England and Wales.

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Chapter 1: Plural Societies and the Common Good

1.1 The 'Common Good': Introduction

The primary question for any cultural institution anywhere, now that nobody is leaving anyone else alone and isn't ever again going to, is not whether everything is going to come seamlessly together, or whether, contrariwise, we are all going to persist in our separate prejudices. It is whether human beings are going to be able, in Java or Connecticut, through law, anthropology, or anything else, to imagine principled lives they can practically lead [together]. (Geertz 1983 p. 234)

We have run up against the limits of a certain view of human society: one that believed that progress was open-ended, that there was no limit to economic growth, that conflict always had a political solution, and that all solutions always lay with either the individual or the state. We will search, as we have already begun to, for an ethical vocabulary of duties as well as rights; for a new language of environmental restraint; for communities of shared responsibility and support; for relationships more enduring than those of temporary compatibility; and for that sense that lies at the heart of the religious experience, that human life has a meaning beyond itself. (Sacks 1991 p. 10)

In the first quotation, the cultural anthropologist Clifford Geertz frames the problem of the common good in modern plural societies. Today, through the multiple processes of globalization,¹ there is a heightened awareness of cultural diversity at national and global levels, and, at the same time, of an intertwining of all our destinies in this global context. Yet, as the second quotation illustrates, there is a simultaneous loss of confidence in many aspects of the Enlightenment dream of a global civilization.²

In his 1990-1 Reith lectures, Jonathan Sacks suggested that the decline of the influence of religious traditions in liberal societies means that we are running down our 'moral reserves'. The consequent threat of nihilism and societal disintegration is now such that a re-evaluation of the relationship between liberalism and religious traditions is required. Liberal societies need to come to recognise the vital role of traditions and seek to sustain and nurture them. In response, Sacks offers a model of society as a "community of communities" (1991 p. 8), in which the life and interactions of communities, including religious communities, together provide some moral substance to sustain the public arena. Sacks sees liberal society as having driven itself to the limits of negative freedom, to a nihilist abyss, whose gaping blackness may lead society to turn again to the religious traditions which have always, in fact, been necessary to sustain public morality, but whose contribution remained unrecognised until the stock of moral capital ran dangerously low.

¹Perhaps most significantly, globalization of markets, media, migration, tourism and information technology (Featherstone ed. 1990).

²For a similar diagnosis from a different perspective, see Gray 1995a.

Unfortunately, Sacks fails to perceive the fundamental relation between economic and ethical forms of exchange (MacIntyre 1985, Polanyi 1971, Habermas 1989). In his desire to reject the dominance of the economic in the understanding of society's problems he ends up separating the economic and ethical in precisely the liberal manner he condemns, a separation indicated in passages such as:

...the problem [with our "social fabric"] lies not with our economic and political systems, but in a certain emptiness in our common life. (15 Nov. 1990 p. 4)

Rather, the problem lies in the relationships between all three. However, given this qualification of Sacks' analysis, this thesis can read as an attempt to build an idea of the common good in a plural society based on Sacks' vision of a community of communities, principally by developing Alasdair MacIntyre's concept of 'tradition' (MacIntyre 1977, 1985, 1988, 1991). Chapter 1 begins by gathering and attempting to hone some conceptual tools for the task: understandings of plurality, community relations, the common good, the public arena, and modernity will all be discussed. Chapter 2 begins to refine these tools on a case study: The Satanic Verses controversy. Chapter 3 turns to theoretical formulations of liberalism, and their application to minority cultures in plural secularised societies. Chapter 4 provides an account of the failure of liberal approaches according to MacIntyre, developing his concept of tradition as an alternative. Chapters 5 and 6 then seek to understand aspects of British Muslim and Christian communities respectively, in the light of Chapter 4's analysis of MacIntyre. Chapter 7 problematises and refines this concept through the work of John Milbank. Finally, Chapter 8 seeks to apply the refined concept of tradition to two fields: the international debate on Islam and human rights, and the development of multicultural, citizenship and religious education in schools in England and Wales.

But what does it mean to seek the common good in a plural society, in a society secularised and politically, economically, socially, culturally and religiously differentiated? The fortunes of the Anglican church suggest something of the problem in the British context. Until two hundred years ago the cultural hegemony of the established Anglican church could be assumed, guaranteed by a series of legal, economic and political privileges. Then, during the nineteenth century, the barriers against the public participation of non-conformists and Catholics were largely removed, leaving only the vestiges of privilege and establishment.³ Mid-century, the 1851 census led to a questioning of the role of a national church which could no longer rely on the active participation of three quarters of the populace, and less of the working classes (Mann in Golby 1986 pp. 39-

³For an account of these transformations see Best 1971 pp. 190-218; in a wider European context McLeod 1981 pp. 22-53.

44). In the century and a half since, attendance has largely continued to decline (Wolffe 1994 p. 85). Meanwhile, since 1950, the numbers of non-Christian faith communities in the UK has risen rapidly (Weller ed. 1993 pp. 39-40). In short, at first sight, the Anglican church no longer appears a plausible religious institutional embodiment of the common good, although its representative status may, paradoxically, benefit other faith communities (Lewis 1994a). But first, to return to a broader canvas, what concept, practice or institution might plausibly make such a claim? Let us begin with a brief definition and historical sketch of the use of the term.

The term 'the common good' can be used in its broadest sense to refer to anything jointly valued by a given community or communities. How this is perceived depends upon one's understanding of the relationship between the individual, society, and the cosmic order. Thus for the founding utilitarian Jeremy Bentham, as for other individualists, the interest of a community is no more than the aggregate of the interests of the individuals which comprise it, whereas for a Catholic thinker like Aquinas, human life is teleologically oriented towards fulfilment in Christ. Indeed, Langan (in Childress and Macquarrie eds. 1986 p. 102) goes so far as to describe the doctrine in Catholic teaching as the antithesis of the Benthamite position, because of the Catholic insistence on the necessity of appropriate institutions and social relations for human flourishing. For example, Dignitatis Humanae offers a definition of the common good as:

the sum of social conditions which allow people, either as groups or as individuals, to reach their fulfilment more fully and more easily. (In Hannon 1992 p. 95)

Since Aquinas, the common good has played a significant role in Catholic thought as the basis of political and legal legitimacy (De Gruchy 1995 p. 66; Abbott ed. 1967 p. 284). As a thread in Catholic social teaching, the common good can be traced back through Aquinas to Augustine, both of whom drew on classical sources, and forward to Maritain, Pope John XXIII and the conciliar documents of Vatican II (Langan in Childress and Macquarrie eds. 1986 p. 102). Maritain drew on the tradition of natural rights to balance the Thomist stress on the collective, an emphasis continued by John XXIII, and reflected at Vatican II, as the cited extract shows (Abbott ed. 1967 pp. 284-5).

The strong collective component of the concept, even in its post-Maritain form, appears difficult to defend in an age which has seen the collapse of state socialism and the global penetration of market institutions based on individual consumer choice. Similarly problematic is the intellectual context of 'postmodern' thought, which threatens to unmask pretensions of common interest as diverse manifestations of the will to power. The concept is also beset by at least two further problems. Either it says too little - specifying only what is obviously recognised as necessary for everyone, such as food, warmth and shelter, or it specifies too much, such as a comprehensive

public welfare system, and becomes controversial, thus ceasing to be common. Further, even an expression which avoided banality or over-inclusion could be accused of being simply descriptive, and if devoid of critical or analytic teeth, then pointless and not worth stating.

However, I have chosen to pursue the concept because in societies which are characterised by diversity, which have an economic system founded on individual preference, and in which intellectual endeavour is prone to increasing specialisation, the question of what is or could be held in common remains both pressing and perplexing. It is perplexing because growing diversity makes a synoptic view increasingly difficult, and it is pressing because in a world which is increasingly inter-connected, as Geertz points out (p. 1 above), it is difficult to do anything in the public arena without some implicit appeal to a concept of the common good. Without such a basis, all public action becomes either ultimately arbitrary, or, in a democracy, at best majoritarian tyranny.

In an attempt to make the thesis manageable it focuses on a particular set of questions concerned with the interaction between religious groups and the wider society in modern, secularised contexts. These questions are:

(i) To what extent can the aspirations of religious minorities be realised within modern secularised societies?

(ii) Do such minorities present challenges which should lead members of modern secularised societies to reassess their own fundamental beliefs, and the way their societies are organised?

In the UK a number of issues which have attracted media attention during the last decade pose these kinds of question. Often the assertion of religious rights by minorities has surprised and led to conflict with the post-Christian secular majority. For example, the popularity amongst British Hindus of the ISKCON⁴ temple 'Bhaktivedanta Manor' in London's green belt has led to conflict with local residents. But the strongest concentration of claims and conflicts has surrounded British Muslims, and hence cases involving them provide the focus for reflection in this thesis. Many of the issues raised concern education: the style and content of Religious Education in schools, the arguments for and against state-funded Muslim schools (demands paralleled in the Hindu community, Kanitkar 1979), the demand for single sex education after puberty, for the

⁴International Society for Society for Krishna Consciousness, better known as the Hare Krishna Movement. The dispute over congestion and 'inconvenience' caused by large numbers of Hindu pilgrims descending on the small village at festival times was the subject of a BBC Everyman documentary in Sept. 1994.

provision of halal ('permitted') meat in school meals, and for facilities for prayer in schools. But Muslims have also sought broader recognition: some have challenged the defining of anti-discrimination legislation around categories of 'race' and ethnicity, urging reform to include religious identity and thus protect Muslims from discrimination in housing and employment, and from incitement to hatred. In both cases Muslims have used the Western philosophical and legal discourse of human rights to express their claims. In the public arena, flashpoints in recent years have included the 'Honeyford affair', The Satanic Verses controversy, and the Gulf war. In each case the definition and recognition of British Muslim identity has, in some sense, been at issue. This process can be viewed as involving negotiation and conflict both within Muslim communities, as well as with the rest of society.

'Plural societies' will be understood as those in which:

there are several large ethnic groupings involved in the same economic and political order but otherwise largely distinct from one another. (Giddens 1989 p. 244)

"Ethnic groupings" will be understood as to groups which can be distinguished by their "cultural practices and outlooks" (Giddens 1989 p. 243), and "culture" as the "values...norms...and material goods" of a given group (Giddens 1989 p. 31), which can be used interchangeably with the phrase 'ways of life'. Beyond these definitions, I understand modern liberal secularised societies to incorporate democratic institutions, which allow for the expression of dissent, and to have available in the public arena a political vocabulary, predominantly of rights. This shapes the way in which individuals and communities express their demands,⁵ in particular leading to demands by cultural minorities being expressed in the form of a demand for 'recognition'.⁶

At the centre of many disputes is disagreement over the terms of political equality between citizens (Taylor with Gutmann 1994). Where historically in western societies political equality has been understood to entail assimilation to a presumed to be superior liberal democratic form, the homogenising process presupposed is increasingly challenged by demands for the recognition of cultural difference, with 'culture' no longer confined to the marginal role to which it has historically be assigned. Hence in plural societies varieties of the 'politics of difference' stand head to head with 'difference-blind politics of equality'. It is therefore appropriate that arguments developed in American, Canadian and German contexts will also contribute to the development of the thesis. While much attention will be given to theoretical issues, the thesis is ultimately oriented towards the practicalities of everyday life in plural societies.

⁵As will be illustrated in the case of British Muslims, e.g. at 5.4 below.

⁶Charles Taylor's (1994) account of the genesis of demands for 'recognition' will be discussed at 3.5 below.

The thesis is informed by my experience of inter-faith relations in West Yorkshire, and by conversations with educators and community leaders there. While this fieldwork was necessarily local, it may be suggested that parallel challenges of pluralism to can be found in various local guises across the globe (Geertz 1983; see above p. 1). In particular, many of the issues facing British society as a plural society are paralleled in plural societies in North America, Europe and other 'western style' democratic states. Given these conditions, the kind of controversies which arise will vary with the history and culture of the minorities present, and the history and culture of the society concerned.

For example, in the United States, the presence of a written constitution and its history of use in the struggle for civil rights, is likely to affect the shape in which minority claims are made. Critics have expressed concern over the extent to which legal hermeneutics may come to substitute for democratic participation, and over the difficulties for a "critical legal discourse" in recognising the legitimacy of any form of authority (Fraser 1984 p. 52). The presence of indigenous peoples, a broad ethnic mix, and a fairly recent history of conquest and settlement are further significant factors. Important, too, is the presence of a large and vocal minority of fundamentalist Christians, who have used the language of rights and the instrument of law to exert influence in the public arena, for example over abortion legislation and the teaching of biological and cosmic origins in schools.

In the UK, the South Asian origin of many religious minorities, and the ancestry of most of Britain's ethnic minorities as subjects of the British empire, are salient factors. In Canada the situation is different again, the presence of a strong French minority and the very real possibility of Quebec becoming independent, highlighting the issue of minority rights, while much reflection has also focused on the search for appropriate ways of protecting the lifestyle of indigenous groups.

On mainland Europe, as in the UK, the presence of long-established majority historic cultures is significant, but more than in the UK the legal status of religious and ethnic minorities as guestworkers heightens their insecurity. The tightening of German entry controls after reunification and the Cold War means that the federal republic is no longer the haven it once was for asylum seekers. The rise of racism across Europe, including the election of fascists as part of a ruling coalition in Italy, (the first in Europe since World War II), represent causes for concern, and together with the disintegration of the former Yugoslavia indicate the resurgence of nationalism in tension with economic and political moves to further European integration. Greater European integration, combined with population pressure from East and South driven by

economic factors, may lead to the construction of a 'Fortress Europe', whose border habits may rebound on minorities within. To Muslim minorities, for example, such fears can seem well founded in France, where the cultural and religious symbol of girls' headscarves have been outlawed and condemned as 'ostentatious' by the French authorities (Q News 16-23 Sept. 1994).

One common factor amidst a diversity of issues here is the existence of secular institutions for the organisation of public life (e.g. constitution and/or legislative apparatus, mechanisms of democratic participation), supported by a secular ideology among at least the political and intellectual elite, and diffused to varying degrees through the majority population, which conflict with the views of religious minorities, who are frequently also ethnic minorities. This is not to suggest the secular-religious clashes lie at the root of all racism or inter-communal conflicts, but rather to highlight a somewhat neglected part of the total situation, and to suggest a perspective which may provide new insights on the problems of co-existence in plural societies.

This chapter in particular attempts to characterise plural societies more fully from this perspective, and more broadly this is a central aim of the whole thesis; to shed new light on familiar issues by challenging conventional ways of thinking about plurality. But beyond re-description, the thesis also seeks to ask 'what common good is possible in plural societies?' In particular, how can differences between groups be resolved in such a way that, negatively, the identity and self-esteem of groups is not damaged or corroded, and, positively, that their different aspirations might be fulfilled? To begin to address these questions, four critics of the modern context within which these inter-group relations occur will now be considered.

1.2 Introducing Four Critics of Modernity: MacIntyre, Bauman, Habermas and Milbank

Modernity, the economic-political-social-cultural complex which has grown out of Europe in the last three to four hundred years, significantly shapes the encounter between secular and religious outlooks in contemporary plural societies. Further precision has been given to the broad term 'modern' by adding the various prefixes 'late' (e.g. Surin 1990 and other post/neo Marxists) 'high' (Giddens 1990), 'advanced' ('industrial' rather than 'modern', Beckford 1984) and post- (e.g. Bauman 1992 and much continental social theory). These serve to distinguish the current stage of modernity in the West from its earlier phases. The terms post- and neo-colonial are also important in drawing attention to the global location of these societies.

Although a range of resources will be drawn on, four critics of modernity have probably been most influential in shaping the analysis: Alasdair MacIntyre, Zygmunt Bauman, Jürgen

Habermas and John Milbank. Each of the first three are senior international figures in their respective, though overlapping, fields: MacIntyre (moral philosophy), Bauman (sociology) and Habermas (moral philosophy/sociology). In fact their fields of interest cannot be clearly separated; MacIntyre insists that morality, society and history are inseparable, Bauman has recently written a full length book on ethics (1993), while the two disciplines mentioned (and a great deal else - e.g. moral development, linguistic pragmatics) are intertwined in Habermas' work.⁷

Each of these has a somewhat ambivalent relation to religion. MacIntyre is the most clearly related to Christianity, supporting his earliest work in the 1950s with reference to Matthew 25, distancing himself from what he saw as the secularising influences on Christianity in the 1960s and 1970s, and returning to an explicit commitment to Augustinian-Thomist Christianity in the 1980s. Yet he rarely refers to modern theology, the modern intellectual articulation of Christian tradition, and his references to living religious communities are brief. Habermas has recognised the role of theology in providing important sources of both hope and critique in the post-war federal republic; yet in spite of this and his willingness to engage with so many dialogue partners, he expresses a preference not to engage with theology (in Schüssler-Fiorenza and Tracy 1990). Bauman has admitted the Jewish roots of Levinas' concept of faciality which has become central to his critique of modernity; yet in spite of this and sharp criticism of sociology's exclusion of morality (1989) he insists that sociology cannot speak of religion, or at least of theology.⁸ Furthermore, religion is conspicuously absent from Bauman's narratives of modernity. Underlying the reluctance of both to engage with religion's self-articulation may be a desire to avoid metaphysics; an acceptance that in spite of modernity's faults it is not possible to reach behind modernity to reconstruct metaphysics; postmodern thought must also be postmetaphysical.

This lack of engagement with religious self-understanding is symptomatic of the public arena we are addressing: sociologists and philosophers write for a public arena which is largely presumed to be secular, in which religion is understood as a private matter with no place in public affairs. This is precisely the kind of critique given by Milbank, an academic at an earlier stage in his career than the other three, but who has nonetheless provided a wide ranging critique of modernity by composing a theological counter-narrative to the secular story of modernity (Chapter 7 below).

⁷Given these overlapping interests, it is not surprising that each has addressed at least one of the other's arguments, e.g. Bauman on Habermas (1993 p. 21) and MacIntyre (1993 pp. 39, 50), Habermas on MacIntyre (1993 pp. 97-104) and MacIntyre on Habermas (1991 p. 46). Milbank has also addressed aspects of Habermas' work (1990a pp. 11, 238, 240, 268, 274, 318), and his treatment of Milbank is the subject of 7.5 below.

⁸Personal communication, during a series of public lectures given at the University of Leeds in 1993.

MacIntyre has been accused of "nostalgia" (Poole 1991 pp. 146-151), because his criticisms of modernity draw heavily on pre-modern sources, an accusation which could equally be levelled at Milbank. Certainly, there is at least a prima facie case that in their emphasis on criticism they neglect the achievements of modernity: a discourse of universal human rights, longer life and better health for many, for example. Furthermore, they run the risk of appearing absurd in a context in which modern forms are highly pervasive. Yet it will be argued that their critiques of modern forms of life and thought are important, and that their positions can fruitfully engaged with without necessarily endorsing all their conclusions. One significant sense in which their work is based on more than 'nostalgia' can be seen in their critical attitude towards pre-modern forms of life. An example of this is their reconceptualisation of hierarchy as of value rather than of individuals or social groups, a rethinking they owe to the Christian socialist tradition.⁹

1.3 Communities, Minorities and Majorities.

Interpreted in different ways, the challenges of plural societies have become a central concern across the range of humanities and social science disciplines, and in other forums of debate. The thesis will focus on three communities and their interaction in one context: that is on Muslims, Christians and 'liberals' in the British public arena. The use of the term 'community' to designate a religious group may seem strange in modern contexts in which individuals tend to be defined by multiple affiliations, of which religion may be rarely the most prominent. Yet this mode of description may have some analytic value because Muslims, Christians, and arguably liberals, can all be seen as members 'interpreting communities' - communities defined by sharing common interpretations of life, by making sense of life using certain shared narratives (Alexander 1985). This term has affinities with Berger's (1969) term 'cognitive minority', meaning a group distinguished from the majority by distinctive patterns of belief. However, using the term 'community' is intended to indicate that majorities as well as minorities rely on such social support to maintain their beliefs.

Use of the term 'interpreting' in place of 'cognitive' emphasises the hermeneutical character of social life, although 'epistemic' would also be appropriate; 'epistemic' indicates that fundamental differences may be present at the level of the foundations of knowledge rather than in superficial matters of style. Neither term necessarily indicates isolation or mutual exclusivity; it is possible that individuals could belong to several different interpreting communities in different contexts,

⁹e.g. Milbank on Ruskin 1990a p. 200, pursued at 7.2 below.

and dissonance may only be experienced occasionally. For example, Jackson and Nesbitt's study of Hindu children in Coventry found that many exhibited "multiple cultural competence" (1993 pp. 174-8),¹⁰ switching smoothly from English speaking secular school settings to predominantly Hindi domestic and religious settings. Such results contrast with earlier findings such as Anwar's Between Two Cultures (1978). However, if there are fundamental differences at the level of the foundations of knowledge and social life, membership of multiple interpreting communities may be difficult to sustain,¹¹ and we shall also consider examples of this kind.

Much use will be made of the term 'minority' in the thesis. An account of the usage adopted here can serve to introduce discussion of relationships between groups in plural societies. Tajfel's (1981) model of majority-minority relations uses relative power rather than numerical preponderance to define majority-minority status - defining 'majority' as the most powerful group, which may or may not be a numerical majority. For example, prior to the 1994 general election, blacks in South Africa could be spoken of as political minority in Tajfel's sense because of their subordinate political status, even though they constituted a numerical majority.

However, although it is sensitive to power relations this binary structure still oversimplifies the complexity of relations in plural societies. First, it does not account for the variety of types of minority group - this will be addressed by considering Parekh's typology of minorities at 1.5 below. Second, it presumes a monolithic, unidirectional concept of power, neglecting the resistance of minorities to majorities. Certain uses of the discourse of 'race' provide exemplify the difficulties which can arise from this. In spite of decisive refutations of its biological basis, 'race' probably remains an important analytic category in the social scientific study of interactions between groups in society. But analysis of 'race' tends to consist of the study of what majorities do to minorities - in labelling, politically subordinating and prejudicially discriminating. In the process, the resistance of minorities, and subsequent interaction, tend to be neglected. A case study of this is presented at 1.5. Third, a majority-minority power analysis may neglect the variety of political discourses active in the field of community relations. Thus, to account for the complexity of power relations, 'race' has sometimes recently been reconceived in more complex and dynamic terms:

there has been a relative neglect of the general institutional and discursive form of the liberal-democratic, capitalist nation-state and its effects in the contradictory discourses around 'race'. That is, racist, ethnocentric and nationalist ideas, which attempt to create strict symbolic and institutional barriers between collectivities, have also to coexist and continually articulate with a variety of discourses and practices around meritocracy, equal opportunities and citizenship rights. (Rattansi in Donald and Rattansi 1992 p. 37)

¹⁰This phrase originated from S. Vertovec (Jackson and Nesbitt 1993 p. 183 note 3).

¹¹For a further discussion of issues of personal integrity and multiple belonging, see 7.5 below.

The struggle over the terms in which 'race' relations are conceived can be seen as part of a struggle between the 'difference-blind politics of equality' and a 'politics of difference'. This means that the principle of equality for all individuals may be challenged questions such as, 'on whose terms is such equality defined?', and 'are some groups disadvantaged by the terms in which equality is being defined?'. Such a clash is illustrated in the following case study, a controversy pursued in the pages of a British community relations journal.

1.4 Case Study: Conflicting Conceptions of 'Race', Ethnicity and Religion

The academic study of 'race' relations draws on the disciplines of sociology, psychology, economics and politics in an attempt to understand the dynamics of intergroup relations in societies, normally with a view to rectifying inequalities between groups. In British 'race' relations this task of striving for equality has begun to be problematised by the question 'equality on whose terms?' One illustration of a debate along universalist-contextualist lines occurred between Roger Ballard and John Goering in the pages of *New Community* (Ballard 1992, Goering 1993). Ballard's thesis is that approaches which emphasise the construction of categories of 'race' and processes of racial discrimination by dominant groups neglect the cultural resources for resistance possessed and mobilised by minorities.

He accuses conventional race relations of being dominated by an ethnocentric 'deprivationist' paradigm, in which it is assumed that cultural difference will, for all significant purposes, be subsumed to an urban proletarian identity determined by national class structures. By contrast, he argues that:

...the moment one abandons deprivationism, and replaces it with a perspective which assumes firstly that racism is always and everywhere resisted, and secondly that all strategies of resistance - no less those than those of hegemony - are culturally grounded, one's whole understanding of social inequality in general, and racial and ethnic inequality in particular, is radically transformed. (1992 p. 486)

The main benefit of this radical transformation of understanding seems to be an ability to appreciate the culturally rooted strategies of resistance employed by minorities of which Ballard emphasises "morally and socially supportive community networks" (1992 p. 488). He argues for the creative interaction between intellectual, social and economic life, suggesting that improvements in "educational achievements, property ownership, success in business enterprise, levels of income and savings" (1992 p. 488) need to be understood in the context of the beliefs and community life of minority groups:

it is mental, spiritual and cultural resistance - the construction of an alternative moral and conceptual vision with which to transcend the hegemonic ideologies in which dominators invariably seek to ensnare the excluded - which is an essential prerequisite for successful physical resistance. (1992 p. 485)

Goering counters by arguing that Ballard dangerously relativises real inequalities in arguing that "there are no 'objective' measures of success" (Ballard 1992 pp. 486-7), and in reply emphasises the importance of agreed standards in the quest for equality. Goering's US location is significant because of the powerful influence of the American experience of race relations on the current shape of 'race' and ethnic studies in Western democracies, in particular the emphasis on difference blind equality and individualism rooted in the US constitution, which shaped the progress of the civil rights movement, and the conceptualisation of 'race' relations in terms of a black/white division.

Goering's concern about the relativism implicit in Ballard's argument is one we shall find repeated throughout the thesis in universalist objections to contextualist arguments. Goering is concerned that, to borrow Bauman's terms (1991), poverty and inequality will become accepted as part of legitimate postmodern difference. He sees Ballard's thesis that exclusion produces creativity as serving "to rationalise and legitimate exclusionism since it would result in bigger and better gilded ghettos" (1993 p. 339). At the same time Ballard ignores the negative consequences of exclusion ("withdrawal, anger, violence ... apathy, self-hate and criminal alternatives", and neglects the extent to which minorities share interests with the majority population:

what of the thousands of minorities who, in polls, want nothing different, value the same things, aspire to the same media culturally-driven images of success which white people hold? (1993 p. 340)

Ballard's article is also seen as economically naive:

Within what sort of post-industrial economic system do these separate, plural economic enclaves develop, thrive and remain inviolate? What are the natural limits of peripheral economies operating, presumably parallel, to the dominant world wide economy? (1993 p. 340)

What are we to make of this conflict of opinions? Goering's response shows some polemical perversity. The idea that adversity sometimes brings out the best in people is surely a widely accepted paradox, and doesn't need to be brought to Goering's *reductio*. Similarly, Ballard's call for the recognition of the economic significance of community networks is surely not intended as an advocacy of withdrawal from wider economic relations.

But some serious questions remain. On the whole, minorities both wish to retain their own cultural identities, to make use of community resources, and *also* to prosper in the terms to which the majority population aspires. They aim for "multiple cultural competence", (Vertovec in Jackson and Nesbitt 1993 p. 183 note 3), in order to achieve what might be termed 'multiple cultural success'. But what does this mean? What are the terms of integration in plural societies to be? How are they to be negotiated? Western culture and capitalist economics, while arguably supportive of certain kinds of individual freedom and equality, are also often seen as powerfully corrosive of alternative cultural and economic forms. Ghettoization neglects the degree of integration to which minorities may aspire, but the assimilationism which underlies 'deprivationism' neglects the significance of cultural difference. Together, they conspire to avoid confronting this central problem of the interrelationship between cultural and economic forms.

Ballard's argument for considering cultural as well as 'racial' factors in analysing community relations receives support from the work of Modood (1992). In particular Modood draws attention to concept of the 'ethnicity paradox', first proposed by American sociologists Parks and Thomas based on their observations of U S cities such as Chicago in the first quarter of this century. The paradox:

refers to their conviction that allowing ethnic minorities to take root and flourish in the new soil was the most satisfactory way of promoting long term integration and participation in the institutions of the wider American society. (1992 p. 57)

The similarity of this perspective to that of Sacks (above, p. 1) is striking: both hold 'a community of communities' to be the firmest base for public culture and societal stability.

Ballard's view that minority cultures are subordinated in deprivationist understandings of 'race' relations also finds a parallel in the educational field in Hulmes' (1989) argument that multicultural education policies subordinate minority cultural understandings of education to "the practical judgement of an established educational philosophy assumed to be logically prior to all others" (1989 p. 13).

However, the problem with such views remains that either no alternative terms for the integration of plural societies are specified, or else that they remain vague. Should 'taking root and flourishing in new soil' include freedom for South Asian Muslims to contract for their daughters to marry at puberty, or for Hindus to perpetuate caste practices? Should multicultural education extend to permission for state-funded separate schooling by religion or ethnicity? In order that the terms of integration in plural societies can be discussed with more precision, a classification of different kinds of minority groups will now be presented, using the work of the British secular

Hindu political philosopher, Bhikhu Parekh. This will provide the concept of minority developed so far with a firmer location in the politics of modern states.

1.5 Parekh's Typology of Minorities

Parekh (1994b) has devised a four-fold typology minority groups, which are to be regarded as points on a continuum. This typology is valuable in distinguishing between different conditions within plural societies. Type 1 he identifies as indigenous peoples who seek to preserve pre-modern lifestyles within nation-states: the various American Indian groupings, New Zealand's Maoris and Australia's Aborigines are examples. This type is an ideal rather than a precise categorisation, since each of these groups embraces aspects of modern life. Type 2 are regionally concentrated groups who embrace modern life, but seek greater autonomy within and often independence from larger collectivities in which their interests are perceived to be marginalised. 'Independence' may include alignment with another nation-state. Republicans in Northern Ireland, French Canadians and Palestinians on the West Bank and Gaza are examples. Type 3 are "territorially dispersed minorities" (p. 2), groups who seek to preserve aspects of their way of life but not political autonomy, such as many South Asian people in Britain, Hispanics or Jews in the United States. Parekh identifies type 4 as "self-chosen lifestyles" although perhaps 'subcultures' or 'counter-cultural movements' would serve as well; gays and lesbians or New Age travellers might be examples. For type 4 groups, respect for alternative ways of life is demanded, but they retain a fluidity of boundaries not available to ethnic (types 1-3) minorities.

It is the third group with which this thesis is primarily concerned, for this is how I perceive the majority of British Muslims, 70% of whom are of South Asian origin. It is significant that for type 3 groups the political authority of the nation-state is not a major point of contestation, even if the legitimacy of some of its practices are occasionally challenged. This characteristic is also shared by types 1 and 4; for each an established nation-state can be accepted as a common backdrop. This feature sharply differentiates the situation of Muslims in Britain (type 3) from that of Republicans in Northern Ireland (type 2), for example. However, it should be recalled that the model involves a continuum; for example it is possible for type 3 situations to boil over into type 2 situations if political authorities become sufficiently discredited; both a high regional concentration and a certain intensity of cultural identity would also appear to be necessary for this to happen.

The presence of type 3 minorities from non-western backgrounds within secularised Christian or post-Christian societies presents certain challenges to their social and political frameworks,

calling for a re-examination of existing social structures and political forms, and especially the modes of legitimation of their practices and institutions. Tracing the genesis and decline of the public sphere (1.12) will provide a critical perspective on these arrangements. The political institutions of modern democracies incorporate rights of representation and participation in political processes, and individual rights; in other words, they are broadly liberal institutions.¹²

The term 'liberal' here can be initially defined in Gray's sense of a political philosophy characterised as individualist (asserting the primacy of the claims of the individual over the group), egalitarian (equality before the law, in political theory), universalist (unity of human species exceeds historic and cultural differences) and meliorist (social and political arrangements can be changed and improved) (1986 p. x).¹³ To be heard in such a context, minority groups often express themselves using the discourses of liberalism - the invocation of equal rights to run state-funded religious schools for example - but the motivations internal to the community may spring from quite different wells.¹⁴

Of course, in Britain there are exceptions to liberal arrangements in crucial areas: compulsory daily acts of "wholly or mainly" Christian worship in state schools hardly fits a classic liberal church-state divide; nor do blasphemy laws or the establishment of the Church of England. But liberal ideas have been immensely influential in shaping British political life and thought, are embedded in political institutions and supported by many individuals, especially from the political elite. This socio-political view of minorities can be developed using Alasdair MacIntyre's concept of tradition.

1.6 MacIntyre's Concept of 'Tradition': An Introduction¹⁵

British Muslims and other cultural minorities may be described as 'traditional religious minorities'. Use of this term is intended to combine the general use of 'tradition' as "something handed down" (Shils 1981) with MacIntyre's more specialised use of the term (1985, 1988). It is not used to suggest that members of these groups invariably follow inherited religious custom, but rather to recognise diverse histories of communities, with their varying mixtures of cultural competencies and affiliations. 'Traditional' also indicates that some members of these groups self-consciously legitimate certain practices by reference to inherited materials (particularly religious

¹²For a fuller discussion of liberalism, see 3.1 below.

¹³The definition of liberalism will also be discussed further at 3.1 below.

¹⁴A point we shall return to in the international context of Islam and human rights at 8.1 below.

¹⁵MacIntyre's ideas receive more sustained attention in Chapter 4 below.

traditions). As such, these groups transmit non-western religious and cultural resources which are relevant to the shaping of their communities' destinies.

This account runs contrary to the peripheral role assigned to religion in many 'race relations' analyses, as we saw in the Ballard-Goering dispute at 1.4 above. There we saw that analysis in terms of 'race relations' tends to emphasise the agency of majorities. Such analysis is essential, but one-sided. In part, at least, this one-sidedness is due to an assumption, embedded in social scientific discourse and wider Western society, that cultural minorities possess neither resources nor reason to resist assimilation. This in turn is part of an assumption that post-Enlightenment Western culture, the culture of modernity, had no serious rivals materially or intellectually. The same assumption supports the secularisation hypothesis (see 6.3 below), which predicts the gradual withering of religion. But as even a liberal political theorist admits:

the assumption that the importance of cultural membership would decline under modernising conditions, a common assumption a few decades ago, has proved breathtakingly false. (Kymlicka 1989 p. 177)

Rather, religious and cultural traditions persist, and in certain contexts provide resources for resisting the impact of racism. South Asian extended families, for example by biraderi ('kinship group') for Muslims and jati ('caste') for Hindus, have provided structures for economic mobilisation (Werbner 1991). Islam, through The Satanic Verses controversy, has proved a focus for political resistance. Intellectual resources may also be significant, as we shall see at 5.6 below.

To understand the role of cultural traditions in resistance against prejudice requires attention to the internal dynamics of minority communities, to the interaction of their distinctive cultural forms with majority structures, as well as the study of majority structures which dominates conventional 'race relations' analysis. Furthermore, culture can not only become active in resistance, but may also be a dynamic resource, capable of innovation and response to change. Religious traditions possess their own resources for creative adaptation, as well as for maintaining continuity in changed circumstances. MacIntyre's concept of tradition provides a way to view the material, moral and intellectual aspects of cultures in dynamic interaction. A fuller account will be given in Chapter 4, but a brief introduction is presented here.

The main traditions on which MacIntyre has worked are "traditions of meta-ethical reasoning which take as their subject ... the practical moral tradition of particular societies" (Turner 1990 p. 178). This emphasis on practical moral tradition is significant in challenging the distinction between facts and values embedded in much social scientific analysis. Thus the 'facts' of minority

cultures, including social organisation (e.g. biraderi, jati) or material products (e.g. saris, halal food) are not neatly separable from 'values' or moral traditions; rather, practices enact convictions. For MacIntyre, the scope of tradition is not confined to practical moral discourse; instead, tradition is a holistic term which embraces all aspects of cultural production, from agriculture to music to metaphysics.

Thus MacIntyre challenges the Enlightenment division of reason and tradition MacIntyre, developing instead a conception of 'traditioned reason'. He writes:

all reasoning takes place within the context of some traditional mode of thought, transcending through criticism and invention the limitations of what had hitherto been reasoned in that tradition; this is as true of modern physics as medieval logic. Moreover when a tradition is in good order it is always partially constituted by an argument about the goods the pursuit of which gives to that tradition its particular point and purpose. (1985 pp. 221-2)

The creative resources which minority cultures possess, if viewed as traditions in MacIntyre's sense, are not merely to be thought of as social or symbolic, but also intellectual: they are alternative ways of thinking developed in dynamic relation to alternative ways of life. An illustration of this from the field of justice in the public sphere is the contrast Islamic and secular understandings of 'freedom of religion'. Again, this subject will receive further treatment below (5.8), but the following case study can serve to introduce some of the issues involved, drawing on the work of the Muslim feminist sociologist, Fatima Mernissi.

1.7 Case Study: 'Freedom of Religion' in Islam and Secularism

In the UK, in the absence of a Bill of Rights, it is to international treaties such as the 'Universal Declaration of Human Rights' (UDHR) and its European equivalent (Poulter 1987) to which Britain is a signatory, that British judges must look for guidance on issues involving human rights.

Article 18 of the UDHR concerns freedom of thought, conscience and religion, including the right to change religion. Mernissi (1993 p. 87) points out that the translation of this article into Arabic posed considerable difficulties, and was only achieved by means of a complex circumlocution. This is because of the association of civic peace and religious conformity embedded in Islamic origins, and the centrality of Islam for the development of Arabic. In seventh century Arabia the chaotic pagan world (jahiliyya) in which each worshipped their own god, was displaced by submission ('Islam') to one God, Allah. Thus the civic peace which Islam brought is intimately linked to submission to one God. In this context, the most obvious translation of 'freedom to

choose one's religion' was therefore shirk, ('idolatry'), which is not only an insult to Allah, but also the disruption of civic peace, a return to the anarchic violence of jahiliyya.

Likewise al-hurriya, freedom, "remains tied to the jahiliyya" (Mernissi 1993 p. 92), while in Islam virtues such as rahma, which means 'mercy' and carries connotations of tenderness and forgiveness, are linked with uniformity and equality in submission to Allah. The power of rahma as a resource for political mobilisation for minority groups has been seen among Black Muslim groups in the US, brought home to British audiences recently by the film Malcolm X. Indeed, across the Islamic world, as Mernissi writes:

The clamor of the fundamentalist youth of today is, among other things, an appeal to that Islam of *rahma*, where the wealthy of the cities are sensitive to the anguish of the poor. ... Reducing the outcry of the young to a declaration of war against the wealthy of the planet - that is, against the West - is to make a serious error in understanding their anguish. Peace in the world, and especially strategies for realising peace, depend in part on analyzing that anguish. (1993, p. 88)

Both Islamic anxiety concerning secular understandings of freedom of religion and secular insistence on the subordination of religion in the public arena spring from a deep-rooted concern for civic peace. But whereas in Islamic mythology peace came to Mecca through surrender to the justice of the one God, in liberal mythology the European wars of religion were resolved through the subordination of religious differences to a secular public sphere (see 3.2 below). To begin to make sense of these differences I suggest that something like MacIntyre's concept of 'tradition', which thinks together the religious, moral, intellectual, social and political, is necessary.

1.8 Sociology, Modernity and the Nation State

In this section concerns about the coherence of contemporary plural societies will be considered in the context of long-standing problems of legitimation inherent in the modern nation state. The social, cultural and religious diversity of plural societies raises questions of how such societies can peaceably cohere. This is not a new problem, although it will be argued that it takes a particular form in modern societies. Certainly, within modern societies it has been a major focus of sociological study since the birth of the discipline; even if the quest for a glue to bind society together has not always been the expressed intention of sociology's practitioners.

In a sociological sense, the term 'modern' indicates the economic, social and intellectual forms of life which grew from seventeenth and eighteenth century European roots to the present state of near global penetration. Earlier roots can be traced to the Renaissance, and beyond to antiquity.

As has been stated (1.1), the global impact of modernity has meant that different cultural and ethnic groups now interact on an unprecedented scale, through trade, communication and migration. In socio-economic terms postmodernity does not represent a decisive break with modernity, although moves to a post-industrial society and the explosion in global communication correlate with the emergence of self-consciously postmodern thought. Rather, the difference between modern and postmodern is principally one of outlook or orientation, in particular the contrast between the modern belief in progress, and the postmodern loss of that faith.¹⁶

Both sympathetic and antagonistic critics of sociology have recently stressed the close relationship between sociology and modernity. For example, Bauman writes:

The nature and style of sociology has been attuned to the self-same modern society it theorised and investigated; sociology has been engaged since its birth in a mimetic relationship with its object, or rather with the imagery of that object which it constructed and accepted as the frame for its own discourse. (Bauman 1989 p. 29)

The theologian John Milbank points out an important implication of this insight:

Secular social theory *only applies* to secular society, which it helps to sustain. (Milbank 1990a p. 3)

This leads Milbank to stress the role of the imagination and retrieval of an alternative social order (see Chapter 7 below). However, whatever may be imagined, modern, plural, secularised society remains the public arena within which Muslims, Christians and liberals interact. In this context sociology remains enormously important, because it provides the normative framework for studies of community relations and many projects in religious studies; 'objectivity' is usually taken to correspond to a standpoint within this discourse. Yet, as these critics point out, sociology is a tradition with a particular history rather than a universal standpoint. Thus, while it provides suggestive analyses of events and relationships, it cannot do so from a neutral perspective, but only from a vantage point within modernity.

What is this vantage point? The founders of modern 'human sciences' (Foucault 1970) lived in uncertain times; traditional modes of authority were becoming increasingly untenable, and as privileged members of society they sought new means to legitimate social order. Keith Tester sees the institution of "civil society" as the product of this search. In modern societies "civil society" provides a space between the isolated individual and the intrusive modern state. In present day use the term:

¹⁶For a full discussion of these issues see Rengger 1995.

can be applied to all those social relationships which involve the voluntary association and participation of individuals in their private capacities. ... It involves all those relationships which go beyond the purely familial, and yet are clearly not of the state. Civil society is about what happens to us when we leave our homes and go about our lives. It is about the relationships I have with my colleagues and the person who crashed into my car. (1992 p. 8)

In origin and continued function, civil society served both the ideological role of giving order to a public space disrupted by the effects of modern economic and social forms on traditional conceptions of order, and as a forum for participation in public affairs for the newly (in eighteenth century terms) emancipated citizen. Thus Tester sees its genesis as a response to the crisis of legitimacy in political authority which attended the birth of the nation state. Tester traces the history of sociology's search for order back from the birth of sociology in the nineteenth century to the founding fathers of the Enlightenment in the seventeenth and eighteenth centuries:

They were all trying to understand how safe society was at a time when it seemed as if individuals were becoming increasingly disdainful and disrespectful of external authority. As such, they did not see themselves as engaged in idle speculation. The men who wrote about civil society were actually very worried. The philosophers and sociologists were offering different ways of avoiding a pit which, to them, promised to be a collapse of civilization into chaos and a complete barbarization of social existence. (1992 p.7)

Here, once again, a parallel may be noted to Sacks' (1990-1) diagnosis of the condition of contemporary society (see p. 1 above). Civil society was a space constructed to "explain how society was possible and why individuals lived in societies which in many ways stopped them (us) doing things that they (we) might have liked to do" (Tester 1992 p. 7). The concern with the coherence of society which Tester finds among seventeenth and eighteenth century philosophers and nineteenth century sociologists has been remained central to the sociological tradition. As Giddens argues, sociology has been largely concerned with the "problem of order" within nation states. Hence he comments:

Even where they do not explicitly say so, authors who regard sociology as the study of societies have in mind the societies associated with modernity. In conceptualising them, they think of quite clearly delimited systems which have their own inner unity. Now understood in this way, societies are plainly *nation states*. (1990 p. 13)

Roland Robertson confirms this view in the context of the difficulties which the sociological tradition faces in coming to terms with globalization:

I consider it to be of the utmost importance for us to realise fully that much of the conventional sociology which has developed since the first quarter of this century has been held in thrall by the virtually global institutionalisation of the culturally cohesive and sequestered national society during the main phase of 'classical' sociology. (In Featherstone 1990 p. 16)

The association of religion with the disruption of civic peace in the emerging European nation

states has had serious consequences for the role of religion in secular theory. Milbank describes the common origin of the categories of 'the social' and 'the political' with the creation of the modern state, part of which involved the 'fencing' of religion as discrete field, for inspection and analysis by a superior secular 'gaze' (Foucault 1973). Thus he writes that:

the emergence of the concept to the social must be located within the history of 'the secular', its attempt to legitimate itself, and to 'cope' with the phenomenon of religion. ... the emergence of a critical, non-theological metadiscourse about *certain aspects* of religion ... was of one birth with the concept of political sovereignty. It sprang up alongside 'the state' which was a new perspective upon things. ... From 'the new science of politics' onwards, ... there persists a double element in the practical and intellectual approach to religion: its particular, historical manifestations must fall under the superior glance (the 'higher perspective') which is that of the state, the whole body, and so of 'humanity', which often identifies itself with a universal religion. (1990a p. 102)

In its claim to totality, secular theory can brook no rivals; religion can only persist in a private, irrational sphere. By sealing the transcendent off as inaccessible (a movement completed by Kant - see 7.4 below), secular theory becomes the only publicly available mode of understanding. But Milbank argues that such a claim is based on circular reasoning:

Secular reason claims there is a 'social' vantage point from which it can locate and survey various 'religious' phenomena. But ... assumptions about the nature of religion themselves help to define the perspective of this social vantage.

From a deconstructive angle, therefore, the priority of society over religion can always be inverted, and every secular positivism is revealed to be also a positivist theology. Given this insight sociology could still continue, but it would have to define itself as a 'faith'. (1990a p. 139)

The strength of Milbank's argument will be assessed more fully in Chapter 7 below. For now it is sufficient to note that the grounds from which he proceeds are shared with contemporary sociologists like Bauman, Robertson and Tester. All recognise the contingent foundation of their discipline on particular historical, political and cultural formations, and the role of that discipline in maintaining those formations. Each accepts that modernity grew out of a religiously construed universe, and bears the imprint of its origins. The Enlightenment replaced God with the national sovereign state, the king and aristocracy were replaced by the cabinet and bureaucracy, but:

What remained was and is the essence, the structural relation between state and citizen patterned on the relation between God and the Christian.¹⁷ (Galtung 1994 p. 6)

Thus the new secular totality was hewn not just from a religious rock, but from a Christian one. The character of modernity as post-Christian must be remembered when analysing secular-

¹⁷Though a heterodox, Scotist God, according to Milbank: see 7.2 below.

Islamic encounters. It may be argued that in its encounter with Islam, modernity fears both the ghost of its own past as repressive medieval Christendom, and the historic enemy of Islam battering at the gates of Vienna, an image which may still haunt 'fortress Europe'.

Yet Enlightened European civilization did not succeed in ending barbarism within its borders. Bauman in particular has pointed out that the close relationship between sociology and the preservation of the nation state is disturbing because of the nation state's capacity for human destruction in the interests of self preservation. The price for this has largely been paid by minorities. Thus, Leo Kuper, in his study Genocide: its Political Use in the Twentieth Century (1981) writes:

the sovereign territorial state claims, as an integral part of its sovereignty, the right to commit genocide, or engage in genocidal massacres, against people under its rule, and ... the UN, for all practical purposes, defends this right. (in Bauman 1989 p. 11-12)

Further, Bauman contends that:

none of the societal conditions that made Auschwitz possible has truly disappeared, and no effective measures have been undertaken to prevent such possibilities and principles from generating Auschwitz-like catastrophes. (Bauman 1989 p. 12)

In his study Modernity and the Holocaust Bauman inverts the civilising myth of modernity. Through its social order modernity creates conditions which make unprecedented destruction possible. This argument will be examined more thoroughly at 1.13, but it will be useful to introduce it here. Following Levinas, Bauman argues that moral sense arises from intimacy - exposure to 'the face' of 'the other'. Like gravity, this sense is sustained by proximity and weakened by distance. Thus it is precisely the instrumental reason which extended the productive and technological grasp of modernity which has wounded its conscience. The more complex the network of causal connections in which one is enmeshed, the dimmer moral sense becomes. The specialisation and diversification of modernity neutralises moral sense, and absolves one of responsibility for the distant consequences of one's actions.

The impact of such critiques of modernity has been to weaken faith in its totalising ambitions. Such loss of faith is characteristically postmodern. However, the postmodern dissolving of 'grand narratives' into so many little stories does nothing to alleviate the anxieties about order which fuelled modern ambitions. Further, postmodern thought perhaps only accentuates the self-critical tendencies always inherent in modernity: the reflexivity through which modernity deconstructed God's ordered universe is now turned on modernity's own mythology of totality, as we saw with the sociologists discussed alongside Milbank earlier in this section.. Thus modernity may be seen

as inherently unstable, but now that its myth of universality is threatened the problem of order re-emerges in contemporary Western societies in particularly acute form. Thus Tester writes:

If individuals do not live in homogenous societies which make universal demands through universal regulations, then it becomes very difficult to see why and how they should live together.... by the late twentieth century the possibility of society was again being popularly seen as difficult problem rather than as a self-evident proposition. (Tester 1992 p. 169)

1.9 The Question of Legitimate Commonality

Stephen White asks in the context of his study of Habermas:

What [does] it mean to create some legitimate commonality among different forms of life, with 'legitimate' here carrying the sense of reciprocity and mutual respect [?] (White 1989 p. 154)

How might this question be addressed, in the context of Muslim struggles for recognition and justice in British society, liberal responses to these struggles, and Christian struggles to come to terms with both religious plurality and secularisation?¹⁸ While White describes his question as "one of the key questions of contemporary philosophy", the context proposed here suggests that it is of more than philosophical interest. Especially when one substitutes 'how is it possible?' for 'what does it mean?', his question becomes a pressing practical, political and social one. It is also a religious question, in so far as 'different forms of life' may represent different religious traditions.

The question does not simply define a 'problem', in the sense of an anomaly within a larger field of settled meaning. Rather, it will be argued that in modern societies the question of 'legitimate commonality' challenges the legitimacy of all discourses and 'forms of life'. Why should this be? After all, the co-existence of different forms of life within the same political space has not always precipitated a legitimation crisis (Habermas 1976) within those forms of life, for example in the religiously plural cities of medieval Islam or Ashoka's India. Rather, a breakdown of hierarchical relationships is necessary to precipitate such crises. Under modern conditions, differences can no longer be stably resolved as social stratification. New, more reflexive, forms of legitimation are required. Increased social mobility is one consequence of such a breakdown; under these conditions, independent forms of life can no longer be so easily protected by isolation. Other, more tangible, forms of mobility are also promoted by modern economic and social conditions; developments in transport and communication, and mass migration, are examples of this. In such

¹⁸For further discussion of secularization see 4.1 and 6.3 below.

an interconnected world the question of 'legitimate commonality' puts everything in question.

To illustrate the significance of this hypothesis, consider its implications for Christian responses to religious plurality.¹⁹ In Christian missiology, possible differences between first century Mediterranean and twentieth century global religious plurality are significant, because any such differences raise hermeneutical questions for the use of New Testament texts as a basis for contemporary practice. For example, C J Arthur (1984) has argued that a central difference is that first century Palestinians were ignorant of the teachings of Buddhism and Hinduism. In general terms, his point is that the breadth of knowledge available was limited. However, if knowledge is closely related to social forms, then changes in social structure may be as relevant as the breadth of knowledge available. In particular, the question raised by Milbank and MacIntyre is whether a teleologically ordered hierarchy of value could replace social hierarchy as a basis for legitimate commonality which can survive modern reflexivity.

White's posing of the question already indicates a certain understanding of "legitimate" as implying "reciprocity and mutual respect", suggesting that such qualities provide the necessary background conditions for negotiation between participants in plural societies. However, it is an answer which may be problematic in a multi-faith, or multi-traditional situation. The liberal assumption that free and equal dialogue between autonomous individuals is the best way to resolve differences is deeply problematic for people who, for example, take a religious authority as their ultimate standard. Here, a concept of tradition as a hierarchically ordered system of values/knowledge may provide a framework within which both liberals and traditioned minorities can recognise their contrasting positions, and one another's. However, such a proposal faces likely opposition from both sides, who already have their own mechanisms for coping with difference. Thus traditional societies have resolved difference through social stratification, while liberalism has formulated a public/private distinction, requiring certain minimal conditions for access to the public arena, containing most forms of difference within the private sphere. This kind of arrangement is exemplified in the work of John Rawls.

1.10 A Liberal Formulation of Legitimate Commonality: Rawls' Political Liberalism

According to Rawls, a basic premise of liberalism is the exclusion of 'comprehensive doctrines' - beliefs which legislate for how the whole of life ought to be conducted - from the public or political realm (Rawls 1993). A key question for this position is, why should groups who hold a

¹⁹This is considered in more detail at 6.4 below.

comprehensive doctrine of the good accept a political order in whose public realm their comprehensive doctrine will be subordinated to a limited political conception of the good?

This question can be taken either as a question about the basis of morality or, by contrast, about pragmatics. The former asks if there are any reasons beyond particular traditions - that is universal reasons - by which people should be persuaded to subordinate their particular interests to a political conception of the good. The latter asks only if one should do this for reasons of interest. The former interpretation considers the possibility of a universal account of morality, while the latter takes a contextualist line, assuming morality to be defined wholly in relation to context.

The labels 'universalist' and 'contextualist' can thus be used to describe the forms of 'legitimate commonality' which different parties hold to be possible. It is also possible for some parties to hold positions which seem to share some features of each position, as we shall see; provisionally therefore, contextualist and universalist can be seen as poles at two extremes, with a continuum of possible positions between them. For the contextualist there is no common basis in morality to which to appeal; indeed, both rationality and morality are defined wholly in relation to context. If minorities are to be persuaded to accept self-limitation and a political conception of the good, it must be on pragmatic grounds, or by force. However, a more positive interpretation may be given to 'pragmatic' reasons than may at first seem possible: persuasion might occur because of the attractiveness of a political conception of the good *in terms of* minority comprehensive doctrines. As will be argued in more depth at 4.6 below, MacIntyre's view of the interaction between traditions provides a model for considering this possibility.

MacIntyre argues that through a process of "translation"²⁰ - a process which involves entering into the complex web of inter-relations between forms of thought and social life which constitute a tradition - it is possible for members of one tradition to come to understand the internal dynamics of another tradition. From this vantage point it is possible that members of one tradition may come to recognise developments in an alien tradition which are better solutions *to problems recognised but unsolved within their own tradition* than their tradition has been able to produce. Thus MacIntyre writes:

When they have understood the beliefs of the alien tradition they may find themselves compelled to recognize that from within this other tradition it is possible to construct from the concepts and theories peculiar to it what they were unable to provide from within their own conceptual and theoretical resources, [that is] a cogent and illuminating explanation - cogent and illuminating, that is, by their own standards - of why their own intellectual tradition had been unable to solve its problems or restore its coherence. (1988 p. 364)

²⁰MacIntyre's understanding of translation is discussed at 7.5 below.

In our situation, this account of the interaction of traditions suggests the possibility of a model within which Muslim, Christian and secular traditions could learn from one another without compromising their integrity. In the particular case being considered, it may be that a limited, liberal conception of political good could be recognised by minorities who hold a comprehensive doctrine of the good as providing a solution to some of the problems posed by living in plural societies for their traditions, problems and solutions compatible with the survival of their traditions. Interpreted in this way, contextualism appears capable of providing a foundation for a politics of the common good, on grounds other than coercion, and without appeal to a universal morality.

However, the above extract from MacIntyre suggests that for learning to take place across traditions members of a tradition must first come to recognise that their own tradition cannot provide resources from within itself, at least as it stands at that point in time, to solve the problems which it faces. MacIntyre refers to this condition as an "epistemological crisis".²¹ But doesn't this imply that a tradition must have its back to the wall before it is forced to listen to another, and hence we are back with a reduction of contextualism to coercion? Not necessarily: rather, MacIntyre requires a dynamic conception of tradition - one which entails some openness to recognition of the imperfections of existing formulations of tradition - but which does not require viewing tradition as entirely bankrupt. On the contrary, such a negative view of one's tradition is disabling.

Some consideration of the examples of epistemological crisis used by MacIntyre may be useful here. For MacIntyre, "an epistemological crisis is always a crisis in human relationships" (1977 p. 455), and the dramatic narratives through which he tells his histories of traditions tend to focus on conflicts in the lives of individuals who have stood at the confluence of traditions. Such figures perceive ahead of their time when a particular tradition is no longer capable of meeting the challenges which it faces in its present form. Thus Aquinas saw the inadequacy of Augustinian theology before his contemporaries, Galileo the inadequacy of Ptolemaic astronomy, and so on.

However, Aquinas did not see his tradition as entirely bankrupt; rather it was the value he placed on it which led him to re-work it with reference to Aristotelian philosophy. By contrast Hume's attack on his own tradition becomes disabling, and MacIntyre sees Hume's dilemma as typical of liberalism's self-destructive approach to tradition. MacIntyre cites evidence of Hume's own anguish at the consequences of his radical scepticism:

²¹For further discussion of this concept see 4.5 below.

the understanding, when it acts alone, and according to its most general principles, entirely subverts itself, and leaves not the lowest degree of evidence in any proposition, either in philosophy or in common life ... The *intense* view of these manifold contradictions and imperfections in human reason has so wrought upon me, and heated my brain, that I am ready to reject all belief and reasoning, and can look upon no opinion as more provable than any other. (Hume in MacIntyre 1977 p. 462, quoting from Treatise of Human Nature ed. Selby-Bigge P 1941 pp. 267-9)

MacIntyre argues that a foundation in tradition is a necessary basis for launching any kind of enquiry; radical scepticism becomes unintelligible even to its protagonists. In more familiar terms, this suggests that confidence in the value of one's own tradition is important for minorities to make creative responses to the challenges of liberal societies. This argument will be important when we come to consider the liberal prizing of autonomy (3.3-3.4), especially in arguments concerning education. But for now it is important to stress that in order to become willing to learn from another tradition it is not necessary to regard one's own as entirely bankrupt. This applies both to liberals and traditioned minorities: modern conditions may provoke epistemological crises for traditioned minorities, but also the presence of traditioned minorities may provoke such crises for liberals, who find the tradition-location of their own position exposed, when it had been supposed to have been surpassed.

Further features of the universalist-contextualist debate also warrant consideration. For the contextualist, as we have seen, commonality is possible as something created, or as a coincidence of particular interests, not something which can be known prior to encounter. For the universalist, by contrast, commonality is rooted in some universal feature of human life such as reason, nature or morality, or some transcendent referent. Each position implies a critique of the other: for the contextualist the universalist violates difference in the name of a universal which is always, in fact, reducible to the contingent. This position has its own ironies, for the contextualist here appears to be making a universal claim: *all universal theories are reducible to the particular*. Perhaps all the contextualist can argue without self-contradiction is that every universalist position developed so far can be shown to be reducible to particular conditions, a claim reinforced by the moral argument that the repressive consequences of universal theories justify a general suspicion of them.

Yet the universalist can reply with some force that contextualism is inadequate as a foundation for moral protest, because the contextualist has no means of effectively criticising existing practices, no non-arbitrary court of appeal, and hence becomes a prisoner of existing norms. This point can be illustrated by referring to accounts of morality in contemporary sociology. Zygmunt Bauman argues that sociology, in conformity to scientific culture:

...promoted, as binding rules of its own discourse, the inadmissibility of ethical problematics

in any other form but that of a communally sustained ideology and thus heterogeneous to sociological (scientific, rational), discourse. (1989 p. 29)

Two examples of this can be termed 'atomistic' and 'structural' sociological accounts of human behaviour. The first is exemplified by Irving Goffman's view that people can be understood as actors performing a variety of roles in specific social situations (Goffman 1957, 1959). Here there is not one self but many; to discern individual integrity in the midst of this polyphony is to conjure an illusion. Goffman's individual is nothing but a collection of scripts, and hence has nothing with which to offer resistance to social conformity. By contrast, moral responsibility requires some notion of the individual as a whole, some capacity to draw together the multiple "lifestyle sectors" (Giddens 1990) of a contemporary life, so that one script may criticise another, may strive towards integrity.

The second, 'structural' type of account is similar in its reduction of the individual to sub-personal forces, although at first it may appear the opposite of atomism. This is the attempt to account for human behaviour in terms of social organisation on a large scale. The difference between this and Goffman's account is only one of scale, atomism focusing on small scale, transient situations, and aspects of individual behaviour in relation to those contexts, while structural accounts focus on more enduring settings, and hence more enduring behaviours. But the continuity of behaviour is still a product of situation rather than personal integrity. Morality is conceived as wholly socially determined, a matter of convention, with no room for individual responsibility.

Yet an account which holds morality to be purely socially determined can only narrate moral nonconformity as a failure of socialisation; it leaves no room for the possibility that the minority might be right and the majority wrong. Jean-Paul Sartre has dramatised the implications of this position:

someday the fascists may triumph, ... and when that time comes, if it comes, "fascism will be the truth of man." (In Stout 1988, p. 257)

Yet the possibility that a minority might be right and a majority wrong is a pre-requisite for ethical resistance. It also implies some notion of 'moral fact', a notion which contradicts probably the dominant theory in Anglo-American moral philosophy this century, "emotivism". This theory holds that moral values are essentially affective, the product of emotions, and hence not capable of rational discussion. However, emotivism is not confined to the academy, rather, according to MacIntyre (1985) and Midgely (1989), it has become the dominant tacit moral theory in Western societies.

In defence, the contextualist may argue that memory of past practice and diversity in existing

practices can provide grounds for criticism of present practices in particular locales. But is this sufficient to escape from majoritarian tyranny? Why should the majority pay any heed to past or dissenting practices? MacIntyre's answer seems to rely on appeal to resources within dominant traditions which could be used as levers to prize open debate - either an internal tradition of self-criticism or the recognition of inadequacies within the tradition. MacIntyre's locates moral fact in living debate within and between traditions; yet for others this approach relies too much on the capacity of traditions for self-regeneration, and ignores the possibility of more radical criticism, which is interpreted as a positive feature of the Enlightenment.

Habermas has sought to rescue positive elements from the Enlightenment project, and to develop the possibility of radical critique which avoids the solipsistic self-destruction which MacIntyre sees as the blighted root of all Enlightenment thought. For Habermas modernity has gone awry, laying waste to the constructive aspects of human community embodied in his concept of the 'lifeworld', because of the overgrowth of one form of rationality - instrumental rationality - and the stunting of 'communicative rationality', rationality enacted in human communication. For Habermas, claims to rationality cannot ultimately be sustained without appeal to human community - a point on which he agrees with MacIntyre. For MacIntyre, communities sustain rationality because of their rootedness in a historic tradition, and lose their rational coherence when disembedded from that context. But for Habermas the communicative aspects of community can be successfully abstracted from their historical contexts, and their features analysed to reveal a universal structure of normative expectations which can provide a universal basis for morality.²²

We began this section with the question of why groups who hold comprehensive doctrines of the good should submit to a limited political conception of the good in the public realm. Unlike MacIntyre, Habermas does not appeal to the interactions of historic communities to answer this question, but rather to a communicative model of rationality. Habermas' position combines elements of universalism and contextualism, for he espouses a minimal universal conception of morality rooted in the immanent realm. It is derived from context, and requires no appeal to a transcendent realm, and hence is contextualist. Nonetheless, he holds that certain features of context, those to do with communication, are universal, and hence his position can also be described as universalist.

For Habermas, notions of rationality as reducible to strategy (which merely expresses interest) or to context (understood as sheer contingency) are inadequate, because they provide no means to

²²Habermas' "discourse ethics" is discussed further at 3.6 below.

formulate reasons for interests, or for criticising existing norms. According to Habermas a further conception of rationality is necessary "[i]f we do not want to settle questions concerning the normative regulation of our everyday existence by open or covert force" (1993 p. 151). This is provided by a communicative model of rationality which entails "a co-operative process of interpretation aimed at attaining intersubjectively recognised definitions of situations" (1981 pp. 69-70). Furthermore, he argues that such communicative rationality is implicit in every speech act (the "speech-act immanent obligation"), thus providing the basis for a universal minimum ethics, and an argument that all utterances which are not oriented to this goal of understanding are self-contradictory.

While Habermas' model of communicative action is certainly worthy of further investigation (as will be provided at 3.6), at this stage several problems must be noted. The first is the horizon of understanding sought; some utterances would seem to be oriented to create only local understanding, defined by the boundaries of what might be called a 'speech community'. Such a model would seem to respond adequately to Habermas' criticisms of strategic and contextual accounts of rationality, without requiring a universal horizon. Secondly, Habermas' account draws heavily on Kohlberg's account of moral development. This has been criticised by feminists such as Gilligan for emphasising abstract, universalistic conceptions of morality over contextual ones, without providing any adequate reason for this preference (White 1988 p. 68 and pp. 83-5). A parallel argument could also be made by other groups whose reflections on norms may be more contextually than abstractly oriented. Thus Rosen (1987) argues that Islamic conceptions of law are just as rational as Western conceptions, but proceed more by 'downwards' reference to local context than 'upwards' reference to artificial reason (5.6-5.7 below).

A further question is how Habermas' model might attempt to encourage communication between groups when each group is convinced that communication is so systematically distorted that other groups mishear, or deliberately distort, every word they say. Such a situation might be thought to exist between some elements of the British Muslim community and the British press. This suggests a general problem with Habermas' model; while he locates the source of hope in communicative rationality, he does not provide the means by which such rationality may successfully assert itself against the instrumental reason serving vested interests.

Habermas' response to Gilligan has been to emphasise the complementarity of his approach with hers, arguing that communicative action provides an orientation within which ethical issues can be discussed rather than substantive solutions; these must be sought in particular contexts using context-sensitive methods such as Gilligan's. However, at 3.6 it will be argued that this distinction cannot be sustained. The full argument must wait until then, but as already indicated,

doubts exist as to whether Habermas' model can either withstand contextualist criticisms or persuade those who hold comprehensive doctrines of the good to support a limited political conception. From a contextualist standpoint Habermas' response to Gilligan does not answer the question of why forms of morality which favour autonomy and universality should be considered more 'developed' than those which favour heteronomy or context determination. Habermas' account is in fact embedded in a sophisticated theory of modernity, which is both critique and defence. It is sufficient to note at this stage that his concept of the speech-act immanent obligation as a foundation for a minimal ethics is not clearly separable from his advocacy of the modern virtue of autonomy. This being the case, it seems unlikely to persuade those who favour heteronomy, or who hold a comprehensive conception of the good.

Initially, therefore, a basis for developing legitimate commonality will be sought not in linguistic pragmatics, but in historical argument. For this, Habermas' earlier work will be used (1.12). But first liberal and postmodern approaches to the common good will be examined.

1.11 Liberal and Postmodern Approaches to the Common Good

Kymlicka describes the difference between conceptions of the common good held by the rival 'liberal' and 'communitarian' factions in American political philosophy as follows:

in a liberal society the common good is adjusted to fit the pattern of preferences and conceptions of the good held by individuals.

In a communitarian society, on the other hand, the common good is conceived of as a substantive conception which defines the community's 'way of life' (1989 p. 77).

In the first definition there is apparently nothing shared to constrain bargaining between competing groups. Yet liberals such as Rawls (1971) have adopted a concept of 'primary goods' which it is presupposed everyone will want; these focus on individual choice rather than shared ways of life, but, as will be argued at 3.2, such a focus in fact presupposes a certain liberal way of life. For communitarians, some shared way of life constrains bargaining between competing interests in a plural society. A model based on MacIntyrean traditions recognises such constraints, and seeks to understand shared ways of life in terms of the interactions between traditions.

Postmodern thinkers, taking their cue from Nietzsche, have attacked any conception of the common good as inevitably a mask for imposing one's interests on others:

'Good' is no longer good when your neighbour takes it into his mouth. And how could there be a 'common good'? The expression is a self-contradiction: what can be common has but little value. (Nietzsche in Poole 1991 p. 115)

A similar attack is made by Marxists; the dominant ideology is expressed as the common good but masks its real class interests. A tradition based model can respond to these criticisms by arguing that both embody a model of emancipation as negative freedom which is ultimately self-destructive, a point which will be developed through the thesis, especially in Chapters 4 and 7. The historicism (in a weak sense) of a tradition-based approach alerts one to the context of power relations between traditions, and is compatible without an account of social class, while arguing that other commonalities and differences are also important.

Furthermore, in spite of postmodern critiques, at a popular level the idea of the common good persists; at 8.2 some examples in education will be considered (Halstead 1988). Sacks expresses a widespread sense of unease when he writes of his concern that the common good may be undermined by a naive notion of pluralism, a pluralism of indifference, which is inadequate to deal with the consequences of inevitable encounters between different groups in the public arena:

The irony of pluralism is that it leads us to expect a growth of tolerance, while in fact it lays the ground for new forms of intolerance. By dismantling and privatising the concept of the common good no one position is forced to come to terms with the reality of any other. (Sacks 1991 p. 2)

But how might the public arena in which groups encounter one another be properly conceptualised? The historical orientation of a model of traditions suggests that a historical account of the development of the public arena is needed. For this we turn to Habermas' (1989; original 1962) account of the transformation of the "bourgeois public sphere" (Bürgerlich Öffentlichkeit).

1.12 The Public Sphere: Concept and History

Habermas' Structural Transformation of the Public Sphere stimulated broad public debate on public participation in politics in West Germany in the 1960s (Holub 1991), and its translation into English (1989) has again stimulated such discussion, albeit in more limited academic circles, in the United States some thirty years later (Calhoun ed. 1993). This section will use Habermas' account of the transformation of the public sphere as a framework for locating a range of changes of perception of self, others and interaction between groups which have been part of the transition from premodern to modern societies. The heart of these changes was the emergence of:

a far-reaching network of horizontal dependencies ... that in principle could no longer be accommodated by the vertical relationships of dependence characterising the organization of domination in an estate system based upon a self-contained household economy. (1989 p. 15)

An insight into this shift can be gained by tracing changes in word use between medieval and modern periods. In medieval society 'representation' signified 'display' in both aesthetic and political contexts. Thus the knight was represented by his heraldry while his feudal dependants were represented by the knight in much the same way. Representation was understood as given, not socially produced through negotiation, as Habermas writes:

publicness ... of representation was not constituted as a social realm ... rather, it was something like a status attribute. (1989 p. 7)

In modernity, representation retains its aesthetic sense, but this becomes distinct from its political meaning, which comes to imply democratic process. 'Opinion' has undergone a parallel transformation, from the public display of honour, something which can be lost or gained, to something interior and privately constituted. Even 'public opinion' today means an aggregate of private opinions.

Habermas' argument does not reduce intellectual and social change to economic causes, but rather is holistic or interactionist, proposing causal pathways in both directions between intellectual and material forms.²³ Capitalism undermined traditional power bases as economic power shifted from land to capital, and the mobility required by markets increased social interaction. Feudal stability was both undermined from within by an erosion of its power base, and invaded from without by an influx of strangers. Over the course of several centuries identity, which had been anchored in the divinely ordained hierarchy, came to be seen as a problem. As Charles Taylor writes:

What has come about in the modern age is not the need for recognition, but the conditions in which the attempt to be recognised can fail. That is why the need is now acknowledged for the first time. In premodern times people didn't speak of 'identity' and 'recognition' not because people didn't have (what we call) identities, but rather because these were too unproblematic to be thematised as such. (1994 p. 35)

This problematization comes both from the replacement of the estate-rooted power base which underpinned feudalism, and because populations were becoming increasingly mobile and

²³An illustration apposite for the Islam-West locus of our discussion is the contention that capitalist enterprise developed in Europe rather than the more culturally sophisticated Islamic territories partly because of the presence of the concept of abstract legal personalities in Western (based on Roman) law, but not Islamic law (*Shari'ah*) (Rosen 1987 p. 49; Ruthven 1991 pp. 174-6). It has been argued that this abstract concept of law facilitated the development of the abstract systems of exchange of finance and commodities which form the heart of the capitalist system.

displaced. Under these conditions, as Tester writes:

With ever-increasing urbanisation and the improvement of cosmopolitan communications, the existence of the stranger could no longer be explained in terms of a temporary figure from wild places. (1992 p. 75)

Two consequences may be noted as following from the new permanence of 'strangers on the doorstep'. Firstly, argues Tester, it becomes more difficult to project "wildness", disorder and chaos, 'out there'; instead the forces of disorder come to be seen as inhering within societies. Secondly, new strategies for dealing with social interaction become necessary; ways of dealing with people with whom one may come into close contact, yet about whom one has very little knowledge. Richard Sennett describes this process, and how it influenced early eighteenth-century Paris and London:

in the population formation of both cities, a special sort of stranger played a critical role. He or she was alone, cut off from past associations, come to the city from a significant distance. Indeed in describing the population of the cities, Londoners and Parisians in a decade like the 1720s resort to images of these outsiders as "motley", "amorphous", "questionable", "unformed". (1974 p. 62)

Unlike later waves of immigrants, these groups could not be clearly differentiated by colour or culture. They were mostly young (late teens, early twenties), largely unmarked by their former lives. How were these new, amorphous people to be understood? As Sennett asks: "... to what knowledge, to what past experience does one appeal when dealing with such a motley mass?" (1974 p. 62). It is perhaps no accident that it was in this context that the development of human beings as abstract entities endowed with rights regardless of their role in society began to develop. MacIntyre, in particular, makes this connection between a world of strangers and the emergence of rights discourse:

the modern world in everything that makes it peculiarly modern is a society of strangers, that is a society where bonds of mutual utility and of appeals to rights have replaced older conceptions of friendship which presuppose an appeal to the virtues. (In McMylor 1994 pp. 102-3)

At the same time as the stranger disrupted intimacy in local social interaction higher expectations of intimacy were placed on the nuclear family, which came to be seen as an intimate sphere free from external constraints. Evidence for this can be found in the new forms of letter-writing developed in the eighteenth century. As Habermas comments:

In the intimate sphere of the conjugal family privatised individuals viewed themselves as independent even from the private sphere of economic activity - as persons capable of entering into "purely human" relations with one another. The literary form of these at this time was the letter. (1989 p. 48)

New forms of legitimation were needed as conceptions based on hierarchy were undermined. Habermas sees the creation of the bourgeois public sphere as a key response to this need.

The institutional bases for this development were the London coffee houses, Parisian salons, and German Tischgesellschaften (table societies), linked through international trade in goods and especially information (although the latter was initially contingent on the former). These three forums for bourgeois socialising and commerce shared three features which gave birth to the ideal of the public sphere as a forum for negotiation. These were:

1. A form of social interaction which in principle suspended power and economic relations. Although not realised in practice, "as an idea it had become institutionalised ... If not realised, it was at least consequential" (1989. p. 36)
2. They sustained public discussion of matters of interpretation previously the preserve of church and state (e.g. art, literature, philosophy).
3. They "established the public as in principle inclusive" (1989. p. 37)

Concern with identity, democratic representation, and the importance of an intimate sphere of purely human relations centred on the family; these features, together with an ideal of public participation based on suspension of power and privilege, open to all - characterise modern liberal political and moral consciousness. By providing a tradition location for these features we provide a basis, using MacIntyre's model, through which liberals can become self-critical, and from which they can advocate their understanding to traditioned minorities without the arrogance of universal assertion.

Within modernity, however, the capacity of these ideas to sustain morality has been questioned; the generality of the thesis also invites criticism. Zygmunt Bauman's work both criticises modernity for its corrosion of morality and relies on a very similar version of the modern story to that outlined above; as such his work can be used to introduce both kinds of criticism.

1.13 Bauman on the Moral Consequences of Modernity

Bauman argues that moral consciousness was transformed by the increasing complexity of social relations. Conditions in which "physical and moral proximity overlapped" (1990 p. 23), as in the village based society, or in pre-modern urban situations where rigid social barriers performed the distancing function, were no longer sustainable. The new norm of interaction became one with

strangers 'on the doorstep', "morally distant yet physically close" (1990 pp. 24-5). Bauman's work is supported by Tester (1992, and above) and Sennett's (1974 and above) analyses of the role of strangers in modernity.

The effect on moral sense is described by Bauman as "adiaphorization", adiaphoron being a thing declared neutral by the church; moral sense is neutralised by immersion in complex social situations. This complexity is not just the product of modern movements of population caused by the movement of labour in the market, but the result of modern technology increasing communication, and modern modes of production involving people in complex causal networks in which their actions may have consequences which are difficult or impossible to envisage.

Bauman presents one possible conceptualisation of innate moral sense by placing the ideas of the moral philosopher and rabbinical scholar Emmanuel Levinas in a historical narrative which traces the fate of "innate morality" from pre- to postmodern societies (1990a).

Bauman sees morality as operating at face-to-face level, a pre-social response to the 'face' of the 'Other'. This "natural ethical impulse" can be described as a predisposition to feel responsibility for another person. It precedes encounter and therefore reciprocity or interest; it is unconditionally for the sake of the 'Other' (1990a pp. 12-13). Further, it is not only pre-social but pre-conscious, not a matter of choice, but an involuntary response to the presence of another person:

The neighbour concerns me before all assumption, all contract consented to or refused... It is not because the neighbour would be recognised as belonging to the same genus as me that he concerns me. He is precisely *other*. The community with him begins in my obligation to him. (Levinas 1982 p. 87)

Levinas' theory turns both philosophical attempts to find a rational basis for ethics, and sociological theories which view society as restraining innate 'uncivilised' behaviour, on their heads:

Morality is the secret of sociality, and yet neither existence nor knowledge give birth to morality. Both come *after*... . Sociality is before being. Sociality is before knowing that being is. (Bauman 1990a p. 16)

But why should this conception be remotely plausible, when precisely the reverse assumption is culturally dominant? As Bauman indicates, there is a widespread assumption that sociality, understood by social science as a realm of 'facts', precedes morality. But Bauman, here coinciding with MacIntyre, sees this a contingent construction, an example of the Enlightenment

divide between 'facts' and 'values':

The etiological myth entrenched in the self-consciousness of our Western society is the morally elevating story of humanity emerging from pre-social barbarity. ... By and large lay opinion resents all challenge to the myth. Its resistance is backed ... by a broad coalition of respectable learned opinions which contains such powerful authorities as the 'Whig view' of history as the victorious struggle between reason and superstition; Weber's version of rationalisation as a movement toward achieving more for less effort; psychoanalytical promise to debunk, prise off and tame the animal in man; Marx's grand prophecy of life and history coming under the full control of the human species once it is freed from the presently debilitating parochialities. (Bauman 1989 p. 12)

To this list one might add Adam Smith's invisible hand of capitalism, ensuring that the market distributes goods effectively and fairly. What can be said against this impressive consensus of modernity? First of all, as Bauman argues:

non-social man is not to be found anywhere in time or space. For this reason, the hypothesis of inborn moral instinct cannot be investigated empirically. (1990a p. 10)

The absence or presence of moral instinct is therefore a matter of interpretation, one of a number of possibilities. What an interpretation must do is to present the evidence relevant to the field of enquiry and demonstrate the coherence and consistency of the explanation proposed. The innate depravity of humanity needing social control claims to be more than this, but it is only as "false pretence" that it can "deny its interpretative status and claim that of a scientific theory" (1990a, p. 11).

But Bauman must still show his narrative to be more plausible than the alternative. His story is one of the demise of proximity. For this is moral reaction's sole precondition. It is a local response; it doesn't travel well. In premodern societies, where moral boundaries coincided with physical boundaries, it worked well enough, because, by definition, those encountered regularly were neighbours. But in modern societies we constantly meet people we don't (and because of their numbers couldn't) know. Therefore a need develops for mechanisms to deal with the presence of strangers. MacIntyre has suggested that the development of rights discourse may be an intellectual response to this situation (in McMylor 1994 pp. 102-3; above 1.12). As MacIntyre stresses, the downside of this is of loss of virtue-based concepts from our moral vocabularies (MacIntyre 1982, below 4.1, 4.3). Bauman characterises the strategy of 'mismeeting' as the foremost practical response. This refers to ways of ignoring other people while being physically close, a common examples of which would be keeping our gaze fixed on neutral space in a crowded lift or tube.

But the effects of adiaphorization are felt not only where large numbers of individuals are forced into close proximity, but also where individuals are involved in complex causal networks, where a sense of individual agency may be overwhelmed. In this context, the growth of financial institutions may be seen as an adiaphorising process. To enable exchange of unlike goods and services across familial, communal, cultural and national boundaries, a common denominator, money, is required. But an effect of the system created is to distance the individual from the consequences of his or her actions in production and consumption; to sunder production from value leading to alienation, in Marxist terms. It should be noted that the destruction of individual agency, and hence moral responsibility, is the result even for the most affluent consumers.²⁴ Furthermore, such systems work most effectively when individuals are severed from local attachments which might provide substantive interruptions to 'free' exchange. Thus Bauman cites Simmel's classic sociological analysis of monetary transactions:

The significance of the stranger for the nature of money seems to me to be epitomised in miniature by the advice I once overheard: never have financial dealings with two kinds of people - friends or enemies. In the first case the indifferent objectivity of money is in ... conflict with the personal character of the relationship; in the other, the same condition provides a wide scope for hostile intentions The desirable party for financial transactions - in which it is said quite correctly that business is business - is the person completely indifferent to us. (Simmel in Bauman 1990a p. 28)

There is a further, linguistic, level at which this adiaphorising effect may be reinforced. The penetration of public discourse by the discourses of market exchange -especially an understanding of the citizen as consumer - and the privatisation of morality, may be transforming for the worse our capacity for conceptualising moral responsibility, both collectively and individually. Rorty, following Davidson, suggests the metaphors we use may have a profound impact on our self-understanding (1989 p. 16).²⁵

Bauman interprets the Holocaust in the light of his adiaphorization thesis. His view is that the Holocaust was made possible not principally by local anti-Semitism, the peculiar character of the German nation, or the pathology of individuals. Rather, it was made possible by the division of labour, the diffusion of responsibility, and the adoption of a thorough-going problem-solving approach. As Richard Rubenstein writes:

²⁴Thus Poole argues: "Capitalism provides for the gratification of consumer needs, but denies the individual the capacity to choose what these might be. Capitalist production depends upon itself being able to call into existence wants which it can then satisfy. For the individual, the source, not just of his gratification, but of that which is to be gratified, is located elsewhere. He is subject to forces which exist beyond himself, and the act of consumption is not the expression of his individuality, but the denial of it. (Poole 1991, p. 33).

²⁵This argument is pursued further at 5.5 and 7.3 below.

no horror perpetrated by the German medical profession or German technocrats was inconsistent with the view that values are inherently subjective and that science is intrinsically instrumental and value-free. (In Bauman 1989 p. 10)

Bauman's startling conclusion is that:

All social organization consists ... in neutralising the disruptive and deregulating impact of moral behaviour. (1989 p. 215)

The arrangements of modernity are particularly effective in this respect. Bauman continues by summarising the mechanisms involved:

This effect is achieved through a number of complementary arrangements: (1) stretching the distance between action and its consequences beyond the reach of moral impulse; (2) exempting some 'others' from the class of potential objects of moral conduct, of potential 'faces'; (3) dissembling other human objects of action into aggregates of functionally specific traits, held separate so that the cause for re-assembling does not arise, and the task set for each action can be free from moral evaluation. (1989 p. 215)

An example of (3) is found in the language used by engineers responsible for the design of the gas vans used in the initial stages of the "Final Solution" (another example), where the people in the vans are described as "cargo", the vomit and excreta they produce in their dying moments as "thin fluids" and "thick fluids" (Browning in Bauman 1989 p. 197). As Bauman comments:

The fact that the load consisted of people about to be murdered and losing control over their bodies, did not detract from the technical challenge of the problem. This fact had anyway to be translated into the neutral language of car-production technology before it could be turned into a 'problem' to be 'resolved'. (1989 p. 197)

It is important to note that Bauman does not suggest that such social arrangements in themselves promote immoral behaviour, rather moral indifference. As we have said, they render social action 'adiaphoric', not immoral.

The power of Bauman's thesis lies in the way it enables us to see the moral greatness and depravity of modernity as two sides of the same coin. For the same impulse to universalise and abstract can be seen to underlie both the development and global penetration of the concept of universal human rights (perhaps the epitome of modern moral achievement) and the gas chambers. Thus, like MacIntyre, Bauman laments the moral consequences of modernity. However, a criticism can be made of appeal of both to 'simple' pre-modern forms of society, both in the sense that they over-simplify such societies, and in the more fundamental sense that the appeal is flawed because it neglects the moral achievements of modernity and offers no constructive alternative; traditions or face-to-face communities simply cannot be reassembled

under modern conditions. Concerning the first criticism, it is true that Bauman uses the isolated village as his model of premodern societies, whereas current anthropology has tended to challenge this model:

instead of assuming the autonomy of the primeval community we need to examine how it was formed out of the interconnected space that already existed in the first place. (Gupta and Ferguson 1991 p. 8)

However, it has already been argued both that hierarchy may be reconceived in terms of values rather than social order, while the contention that traditional societies resolved differences as social stratification may be applied here to suggest that in traditional societies social stratification maintained social distance even where physical distance was not maintained. Thus this model can apply to complex urban cultures, such as the cities of pre-modern India where social distance was maintained by jati. Here, although large numbers may interact, these interactions are regulated by strict rules. But what about conditions in which hierarchical relations were profoundly disrupted, such as times of conquest or migration, for example? After all, it is the containment of the consequences of encounter, of the disruptive force of faciality, rather its frequency which has been understood as crucial.

Seen in this light, it may be plausible to explain the modern paradox of concurrent heightened individuality and depersonalisation as the consequence of sustained social displacement, which has been experienced to a lesser degree throughout history. This argument is supported by the anticipation of characteristically modern forms of thought at periods or points of displacement in premodern societies. Examples include the prefigurement of certain aspects of modern democracy in ancient Athens (Gray 1986 p. 5), and Augustine's reflexive thought against a background of displacement from late Roman paganism and the threat to Roman hegemony from pagan incursions (Chadwick 1988).

Conversely, characteristically modern forms of thought are not universal in modern societies: Bellah et al's (1985) sample of middle Americans didn't display much reflexivity in their morality (below, 3.4). The extent to which morality in the West remains determined by context rather than by the reflective, autonomous subjects of postconventional moral theory is often underestimated in liberal arguments against the ethics of traditioned minorities. It is an argument which will be brought into sharp focus by our case study in the next chapter, where we shall consider The Satanic Verses controversy in Britain.

Chapter 2: **The Satanic Verses Controversy and the Common Good**

2. 1 Introduction: Rival Interpreting Communities and the Common Good.

At 1.1 we considered the definition of the common good offered in the Vatican II document Dignitatis Humanae:

the sum of social conditions which allow people, either as groups or as individuals, to reach their fulfilment more fully and more easily. (In Hannon 1992 p. 95)

This chapter seeks to examine the problems involved in maintaining a sense of common good in one particular context where people's understanding of what that "fulfilment" might entail differs substantially: The Satanic Verses controversy in Britain.

The basic approach in this chapter will be to consider two broad communities of interpretation of the book, and to ask what the common good might mean in the context of their conflicting understandings. These communities are the broadly liberal readership of the book, and Britain's Muslims. Both communities are diverse, but for the purposes of this argument certain commonalities can be highlighted. In terms of the above definition of the common good the question which will be addressed is, what social conditions, in particular those governing the production and dissemination of this book, would enable both groups to reach their 'fulfilment' most fully and easily?

Putting the question in this way already raises problems for certain liberal understandings of the regulation of society, which attempt to specify the conditions of justice without reference to particular conceptions of the good (above 1.10, below 3.2). Such justice is to be founded instead on universally and rationally justifiable principles. It is claimed that on the basis of such principles the state can provide neutral structures within which differing conceptions of the good may co-habit. Indeed to act justly on such a theory one must inhabit a space circumscribed by these neutral structures, which exist precisely to govern justly between competing convictions. To threaten these structures is, by definition, to act unjustly. Such, it has been widely assumed, is the case for free speech in this controversy; the upholding of this has been taken as by itself guaranteeing justice, and is therefore protected by this powerful form of argument. Yet the possibility of such neutrality is highly questionable (3.2).

Chapter 3 will consider in more depth the problems of liberal claims to neutrality, but in this

chapter some problems for this claim will emerge through consideration of the clash of interpretations between two audiences of The Satanic Verses, that is the intended or assumed sophisticated liberal audience, who might be termed 'consumers of high-brow fiction', and the British Muslim community. Initially it had been intended to start this chapter with a section entitled "The Book", in which an account would be given of the various themes presented in the novel. An attempt would have been made to allow the book to 'speak for itself', before the voices of controversy engulfed it (Rushdie 1989).

However, on reflection this seemed to be a flawed approach, because any reading of a text assumes an interpreting community; no book reads itself. In one sense, a book has no meaning without someone to read it. This is not to say that people can get out of a book only what they bring to it, for such a theory would make learning impossible. But the meaning of a text is the product of the complex interaction of signifiers in the text itself and their significance to different interpreting communities. The importance of the interpreting community can be seen in the following extract from Gautam Sen, a Marxist from a Hindu background. Sen's initial reaction to the book's publication was positive, but the media response to Muslim protests prompted a striking reappraisal:

When the crisis ... first broke ... I found myself cursing the bigots and signing a newspaper advertisement in Rushdie's support. ... But the past few months have drawn me inexorably closer to the protesters against *The Satanic Verses*. All sorts of racists were crawling out of the woodwork to clarify a more important prior distinction between white societies and blacks, transcending any differences within white society itself. ... I was not born a Muslim, but I have to say we are all Muslims now. (1989 p. 6)

Sen's change of heart is perhaps extreme; his 'reading' seems entirely driven by the context without regard to the content of the book. We shall consider below (2.4) the more subtle transition of Bhikhu Parekh, for whom contact with Muslims has also led to a different reading of the work. This consideration means that an attempt at a literary-critical appreciation of the work will appear in a section which seeks to contextualise such readings, i.e. by asking who makes this kind of reading, and why (2.3).

Thus the strategy of focusing on interpreting communities has been chosen in an attempt to avoid making any particular audience normative for understanding the text, something which can happen simply by omitting to mention or locate an audience. When a thing is so obvious that it doesn't get mentioned, it may silently attain normativity. Here, it is hoped to avoid fixing the 'real' meaning of the book to the understandings of any particular community, and thus to avoid alternative interpretations tacitly being ruled eccentric, or worse.

'Alternative' interpretations to those of the literary community include those of South Asian Muslims offended by the book's portrayal of the Prophet Mohammed, his family and followers. Yet it should be pointed out that use of this 'hermeneutical community' way of understanding textual interpretation to legitimise a wider range of readings is something of a double-edged sword. For de-normalising one hermeneutical community opens the interpretation of the text to all-comers, rendering the notion of writers having some responsibility for their works more problematic. Authorial intention may be unfashionable in literary theory, a fashion prompted largely by the honourable motivation of modesty in the face of a plurality of readings. Here, the meaning of a text floats in intersubjective space; normativity comes seen as arbitrary imposition, a forced intervention in an open-ended hermeneutical spiral in which text, and successive interpreting communities, continually interact.

Yet while this may generate creative textual interpretation, the intrinsic absence of adjudication between competing interpretations poses problems in some contexts. Where one interpretation of a text requires it to be banned, while another promotes its circulation, a judgement must be made; doing nothing, in this field of action, is implicitly to favour one particular point of view. While we may be able to suspend judgement between competing interpretations artificially in order to study them, the requirements of practical judgement may not allow us to do so indefinitely.

This tension, between artistic and scholarly suspension of judgement and the requirements of practical judgement, is paralleled by that between theology and literature. For example, Terry Wright comments:

Much theology ... tends towards unity and coherence, a systematic exploration of the content of faith which attempts to impose limits on the meaning of words, while literature ... is often dangerous, subversive and chaotic, an anarchic celebration of the creative possibilities of language. (1988 p. 1)

Wright is referring here to the Christian tradition, but this tension is, at present at least, probably more acutely felt in the Islamic tradition, where faith remains, in the understanding of many, closer to the legislature, and hence to the necessity of decision. Some forms of artistic expression, notably the figurative and performing arts, have traditionally been prohibited by orthodox Islam (Kabbani 1989 pp. 62-5); although when it comes to the spoken and written word it is probably Christianity which has the stronger record on censorship (Webster 1989 pp. 19-44). It may be worth noting here that if Christianity's relationship to literature has mellowed, this may be because, as Asad (1990) argues, Western religious sensibility has largely been assimilated to the realm of private, aesthetic experience.

In part, then, the freedom to continue to embrace a plurality of interpretations may be afforded by

an absence of practical responsibilities, something religion or literature can achieve only by retreating from the public realm of competing convictions. But The Satanic Verses controversy presents incompatible interpretations of a book fed by incompatible value systems, and yet demands practical judgement. The problem here is one, as Nagel puts it, "created by a disparity of value and the singleness of decision" (1986 p. 128). If both literary and Muslim communities sustain traditions of 'the good', and the requirements of one tradition conflict with those of the other, how is one to arbitrate between them? Can any sense of the common good be rescued?

The frequent lament of those who found themselves in a mediating role in the controversy is the lack of mutual understanding present on both sides. The media is also seen to have played a key role in the controversy in sustaining mutual incomprehension. I will therefore begin with some comments about two incidents which stand entangled at the heart of popular perceptions of The Satanic Verses controversy, and attempt to disentangle them.

2.2 The Satanic Verses Controversy: Book-Burning and Fatwa

As a media event, or in the popular imagination, The Satanic Verses controversy began with two incidents: the book-burning in Bradford on 16 January 1989, and Ayatollah Khomeini's fatwa on 14 February 1989. A month apart, these events have fused in public perception, symbolised on the envelope of a letter received by Shabbir Akhtar, a leading figure in the Bradford campaign against the book, addressed simply "The Ayatollah's Bradford Acolyte, Dr Shabbir Akhtar" (Akhtar 1989, p. 50). In particular, public perceptions of the controversy have been almost entirely filtered through the prism of the fatwa, with murderous intent read back into the Bradford conflagration. However, under scrutiny, each of these incidents appears somewhat differently to the image suggested by their media fusion.

Rather than a sudden violent explosion signalling the eruption of an Islamic Third Reich in West Yorkshire, the Bradford book-burning followed five months of peaceful lobbying which had failed to catch the media's attention. Since the book's publication on 26 September 1988, Muslim organisations, first the Islamic Foundation in Leicester, then the Bradford Council for Mosques and the Union of Muslim Organisations, had been lobbying Viking-Penguin (the publishers) and the Government. As Samad writes:

At this early stage many Muslim leaders were not asking for the book to be banned but for the insertion of a statement reasserting that it was a piece of fiction. (1992 p. 514)

Their protests met with no response which indicated to them that their grievances were being

taken seriously. Penguin wrote to say that they were "truly sorry for the distress the book had caused", but insisted that this "reaction is based on a misreading of the book", calling on the support of "the critics" to endorse their claim (Ruthven 1990 pp. 102-3). In an attempt to bring their grievances to public attention, a book burning was held in Bolton in December 1988, but it was not widely reported (Akhtar 1990 p. 43). Therefore Bradford Muslims deliberately informed the press prior to the Bradford book-burning (Ruthven 1990 p. 103); and attention they certainly got, though not quite the kind they were after:

All the newspapers commented ... *Times, Daily Telegraph, Guardian, Yorkshire Post*. They compared us to Hitler. (Liaqat Hussein of the Jamiaat Tabligh ul Islam, in Ruthven 1990 p. 99)

It is worth pointing out that while in Bradford WH Smith had been forced to withdraw the book due to threats prior to Khomeini's fatwa (Samad 1992 p. 515), the only place in the UK where this was so, no threats had been made to Rushdie or his family:

Although Muslims were intensely frustrated and angry, and although isolated individuals spoke of violence, no Muslims to my knowledge, threatened Rushdie or his wife's life, or even threw a stone at him or his house, at a time when he was unguarded and vulnerable. (Parekh 1991 p. 62)¹

While most media attention focused on Muslim outrage, both the media presentations and liberal spokespersons expressed considerable anger themselves. This anger needs to be understood, in particular the anger aroused through the juxtaposition of book-burning with Khomeini's *fatwa*, as driven by a sense that where books are destroyed the destruction of people is not far behind. Why such a powerful connection? It is worth reflecting on responses to the book-burning in the context of European history. Asad evokes a sense of the power of cultural memory by the following comparison:

When characters in a novel are burned to death (or vilified), we are reminded that it is, after all, "only a story". And yet a literalist response doesn't seem equally convincing to us when we are told that the book burned is, after all, "only paper and ink". The liberal expressions of outrage at this symbolic act - no less than the anger of South Asian Muslims at the publication of the book - deserve to be more fully explored than they have been, so that we can understand the sacred geography of secular culture better than we now do. (1990 p. 258)

In his comparison Asad exposes a liberal sacred space opaque to a crude positivist distinction between metaphor (artifice) and literalism (reality). Liberal reactions to book burning, especially by a religious group, need to be understood in the context of events such as the Inquisition, the emergence of the modern nation-state from the religious strife of post-reformation Europe, and in living memory the burning of books under Nazism. They also need to be understood in the

¹Webster 1989 p. 126 also supports this contention.

context of the turbulent history of the West's relations with Islam; medieval conflict in Palestine, the Turks at the gates of Vienna at the birth of modern Europe, orientalist caricatures which legitimated colonial practices and which continue to legitimate neo-colonial practices (Said 1978).

Thus liberal responses need to be understood in terms of the history of liberalism, and the stories that liberal communities have told about themselves in response to, and in shaping, this history.² Yet if it is necessary to have some grasp of such stories, and the goods testified to in them, to arrive at liberal conceptions of justice, this runs contrary to liberal self-understanding as able to generate conceptions of justice independent of particular conceptions of the good. We shall return to the philosophical form of such claims in Chapter 3, but for now the point can be illustrated by example. D'Costa has described the field of knowledge in Western societies such as Britain as dominated by the discourses of "secular fundamentalism" (1990b p. 419). He describes his admittedly provocative use of the term as follows:

fundamentalism can be said to represent an unquestioned authority given to a particular revelation of the way things are; in this case, a secular metaphysics with its attendant political and social baggage. (1990b p. 419)

He admits that there are varieties of secular fundamentalisms, but goes on to illustrate certain core characteristics using a letter printed in The Independent on Sunday near the anniversary of the fatwa, and Rushdie's repudiation of the term in Is Nothing Sacred? (1990b). D'Costa believes Rushdie's views to be widely shared (1990 p. 419). The text of the letter which he cites runs:

The events following the publication of Salman Rushdie's The Satanic Verses highlight the fundamental obstruction to the further development of society. Belief, that is the dogmatic rejection of reason and the acceptance of ideas on the basis of 'faith' alone, provides man with a box to hide from the realities of life. Belief, be it religious or political, has been the major cause of war, conflict and disunity ... To build a better society and a better world we must be prepared to question and to reason; belief obstructs the path towards achievement of this ultimate aim. (in D'Costa 1990b pp. 425-6)

Despite this polemic against beliefs, D'Costa highlights a number of beliefs indicated in the letter. First, the belief that it is possible to have no beliefs is itself a belief; second, that context-free reason is possible; third, "the Cartesian presumption that doubt leads to truth" (1990b p. 426), and fourth, the conviction that "no mode of discourse other than itself can facilitate the conditions where other discourses can survive" (1990b p, 426). D'Costa finds this pattern repeated in Rushdie, in spite of Rushdie's rejection of the label 'secular fundamentalist'. Thus he comments:

[Rushdie] writes 'I have never in my adult life affirmed any belief' (1990, p. 19), yet he

²See above (1.12) on the bourgeois public sphere, and below (3.2) on the modern secular state as a device to enable religious toleration, for aspects of such stories.

provides us with a manifesto replete with metaphysical, ethical and epistemological beliefs ... Rushdie has found and preaches the truth as he sees it: a godless universe which is self-created and socially constructed, in which all rules, duties and obligations are human made and open to change, in which the individual has Promethean rights to question and write, and a universe nevertheless in which love is worth striving for. (1990b p. 427)

D'Costa is "certainly not against a person holding such a view", but is concerned that the view is not recognised by its proponents as a "'sacred' discourse" (1990b p. 427). Without such recognition, disagreements with people holding alternative views of the sacred are likely to appear as unprovoked attacks.

Now, it may be objected that it is unfair to extract a letter from a paper and use it to represent an entire tradition. However, whether or not the position explored represents the best that the liberal tradition has to offer, if such views are widely shared then they must be understood in order to understand more fully The Satanic Verses controversy. The wide distribution of such views will be attested in this chapter in many ways; through considering the writings of literary critics, the methods of social scientific investigators of 'race', the small amount of empirical work that has been done on specifically anti-Muslim prejudice, and Muslim allegations of a 'Liberal Inquisition'. In Chapter 3 we shall then have the opportunity to consider just how different at crucial points the quality of argument in this letter is from that of more eloquent liberal spokespeople. Both, it will be argued, carry a strong conviction in the superiority of liberal society which is justified, if at all, by a kind of social Darwinism: traditional cultures retard economic and social development; one way or another they must perish.

But first, in the light of some recognition of the liberalism's history and sacred space, it is appropriate to re-assess the acts of book-burning. It is possible to view the Bradford book-burning as less the calculated action of an organised and dangerous Islamic fifth column, and more as an ill-advised though graphic and non-violent expression of the frustration of a relatively powerless minority. There is certainly no evidence of any direct foreign connection with the demonstrations (Modood 1990 pp. 127-8, Ruthven 1990 pp. 97-8). Which brings us to the infamous fatwa.

Ironically, whether in ignorance or contempt of the rhythms of the secular season, it was on Valentine's Day 14 February 1989 that Ayatollah Khomeini issued a fatwa, or "learned legal opinion" (Modood 1990 p. 129), which condemned Salman Rushdie, the author of The Satanic Verses, to death. The crime for which Rushdie was condemned was not blasphemy, which has no strict equivalent in Islam (Ally 1990 p. 23), but rather riddah, literally 'turning back' from the path of Islam, usually translated 'apostasy' (ibid. p. 25). According to Ally, two kinds of riddah can be distinguished in Shari'ah ('Islamic law'). On the one hand, the Qur'an declares that "There

is no compulsion in religion" (2:256), and indicates punishment in the afterlife rather than the present life for those who turn back from faith (2:217, 16:106). On the other hand, a series of severe penalties, including death, are prescribed where apostasy is accompanied by fighting against the Islamic community (5:36-7). Thus Ally concludes:

a quiet desertion of personal Islamic duties is not a sufficient reason for inflicting death on a person. Only when the individual's desertion of Islam is used as a political tool for instigating a state disorder, or revolting against the law of Islam, can the individual apostate then be put to death as a just punishment for his act of treason and betrayal of the Muslim community. (1990, pp. 25-6)

But in what sense could Rushdie be considered to be guilty of apostasy in this second sense? How can the act of writing and publishing a novel be construed as an act of war against the Islamic community? On 12 February 1989 six people were killed in riots protesting against the book in Islamabad, Pakistan, and the next day another person was killed and more than a hundred injured in another riot in Kashmir, India (Appignanesi and Maitland 1989 p. ix). Since the fatwa followed the next day it seems plausible that Khomeini saw Rushdie's rejection of Islam evidenced in the book, and the international means of its dissemination, as deliberately designed to provoke the Islamic community on a large scale, and therefore held him and his publishers responsible for these civil disturbances and consequent Muslim deaths. Certainly the national day of mourning called in Iran for the victims of the riots on 15 February supports this view. In this light the judgement of what might be termed 'aggravated apostasy' begins to become intelligible.

Political factors are also likely to have been significant. As political leader of Iran, the vying for political leadership of the Muslim world between Iran and Saudi Arabia cannot be ignored. Ironically, it was for this reason that while the fatwa led the British media to suspect a world Muslim conspiracy, in most of the Muslim world "the fatwa was the deathblow to the internationalisation of the campaign because the pro-Saudi Organisation of Islamic Conference refused to endorse the Khomeini's diktat" (Samad 1992 p. 511).

A significant cause of consternation in the West has been the view that the fatwa showed flagrant disregard of national sovereignty and international law by passing judgement on a British citizen for a 'crime' committed outside Iranian jurisdiction. However, in view of previous relationships with the West, concern over interference with the internal workings of other sovereign states is unlikely to have detained Khomeini; Iran had more than enough reason to feel its own sovereignty had been violated, not just in the colonial past, but in Western support for the Shah and then for Saddam Hussein during the Iran-Iraq war.

Seen in the light of both Shari'ah and international politics, the reasons behind Khomeini's fatwa

become comprehensible. But how widespread was support for it in the Islamic community?

Firstly, as Ally points out:

Khomeini does not represent the constellation of views of all Muslims, nor is he the head of the Islamic Ummah. (Ally 1990 p. 24)

Two related issues require consideration here. First, the strength of the case upon which his verdict rests, given other factors which may be relevant, and second, the authority of his verdict because of his standing. Shari'ah requires Muslims in a minority situation to follow the law of the land, provided this is not contrary to fundamental Islamic beliefs and practices, and also requires proper legal procedure (Ally 1990 pp. 26-7). Both these factors give grounds for challenging Khomeini's call for the Muslim faithful to act on his verdict.

But Khomeini's authority also needs to be considered; Ally's comment, as a Sunni Muslim, that "Ayatullah (sic) Khomeini is subject to the procedures of shari'ah like anyone else" (1990 p. 27) neglects Khomeini's special role in Shi'i Islam. Firstly, Khomeini was a faqih (expert in Islamic jurisprudence), and since the mid-nineteenth century Shi'ite faqihs have had powers to exercise their independent judgement far in excess of their Sunni peers; indeed Momen states that from this period "they could issue edicts on virtually any subject" (1985 p. 187). Secondly, Khomeini had himself developed the role of the faqih, particularly in the realm of politics.

Shi'ite Muslims hold that the full spiritual and political power of the Prophet was passed on to Mohammed's male blood descendants, who hold the title of 'Imam'. However, for the majority 'Twelver' Shi'ites the twelfth Imam went into 'the Greater Occultation' (a hidden and inaccessible state) in 941 CE (Momen 1985 pp. 161-171), leaving the community without a spiritual or political leader. In the absence of the Imam the ulama gradually adopted his religious, legal and finally, with Khomeini, political powers:

Khumayni (sic) has taken the Nai'ib al 'Amm ['general representative'] concept to its logical conclusion by asserting the right of the faqih as the deputy of the Imam to superintend all religious, social and political affairs - the Vilayat-i Faqih ['government of the legal expert']. (Momen 1985 p. 196)

This position gave Khomeini vast power and prestige in Iran, but this does not extend to the rest of the Muslim world, and particularly not to the majority Sunni community. As we have seen, the pro-Saudi Organization of Islamic Conference refused to endorse the fatwa (Samad 1992 p. 511). Most importantly, however, although the fatwa was not indicative of Muslim unity on the issue, it "spoke to the hearts of many Muslims who felt despised, powerless and without recourse in law" (Modood 1990 pp. 129-130). While it damaged the campaign against the book internationally

(Samad 1992 p. 511), in Britain, in concert with the press vilification of Muslims, it led British Muslims to raise the stakes, calling for an outright ban on the book, and in some cases for reprisals against publisher and author.

2.3 The Intended Readership: The Literary Community.

Most people define themselves by their work, or where they come from, or suchlike; we have lived too far inside our heads. It makes actuality damn hard to handle. ('Mirza Saeed' in Rushdie 1988 p. 490)

This section focuses on the kind of audience Rushdie might expect to read his fiction in the normal course of events, i.e. consumers of sophisticated contemporary fiction in English, and the readings of the book which this audience might generate.

The audiences of novels are not often the subject of critical, or even descriptive investigation.³ Of course, anyone in a country where a book is published can buy or read it, and hence the contours of this group are difficult to determine. There are basic methodological obstacles; purchase or borrowing of a book is no guarantee of reading, and interpretation is not easily quantifiable, although qualitative methods are available. The absence of study in this area may also reflect the tendency of social scientists to focus on the policing the boundaries of the normal, and the function of social scientific discourse in defining social norms. Harmless readers of novels fall well within accepted social boundaries, and hence do not require the regulative scrutiny of the social scientist.

Yet the practice of reading sophisticated fiction, both in terms of the private use of texts and the particular form of 'the novel', is quite culturally specific. The 'sophisticated' tag here denotes the elite constitution of the readership of a novel of the complexity and length of *The Satanic Verses*. This readership is an international community, but one which is likely to be comparatively small in any one country. Sales are not necessarily a reliable guide to readership, as it may be that a high proportion of novels bought are not read. However, in caricature, this audience is likely to consist mostly of middle class professionals; including the kind of people who study other people (i.e. social scientists), which may be another reason for the dearth of investigation of 'the social practice of the reading of complex fiction'! More likely, as suggested above, the practice of reading is perceived as private and therefore not relevant (specifically not threatening) to the public arena. What, then, can be learned about this audience in the absence of direct studies of it?

³For example, neither British Social Attitudes or Social Trends investigate this matter.

In the study of religion it is usual to be confronted with a historic text of whose first interpreting community we know little. In this situation, it is usual practice to attempt to imaginatively reconstruct the audience from clues in the text itself, supplemented by archaeological evidence, or evidence from other texts.⁴ Something of that method will be used here by asking the question: what hints to the identity of its intended audience does The Satanic Verses provide?

The cultural anthropologist Talal Asad suggests that:

The book's stories ... powerfully connect with ... the highly ambivalent emotions generated by an anglicised Indian's gaze at the ruling class of Imperial Britain. (1990 p. 257)

Certainly the central characters of the book, Saladin and Gibreel, are privileged, cosmopolitan, anglicised Indians. Here it is alleged that Rushdie does not, whatever the claims of his comfortable appreciators, write of a universal experience of migration; rather, if he writes of migration as metaphor of postmodern life, the life alluded to is that of the high-flying cosmopolitan. Yet in critics' reviews of this and other works by Rushdie universalising statements abound. With breath-taking ethnocentricity difficult to attribute entirely to literary flourish, The New York Times' reviewer of Midnight's Children describes it as "a continent finding its voice", a comment which the publisher's saw fit to repeat on the paperback's cover (Rushdie 1981, cover; Ahmed in Asad 1990, p. 249). Nisha Puri of The Indian Post, having confessed that "*The Satanic Verses* is not an easy read", nonetheless goes on to proclaim:

Rushdie remains buoyantly accessible to anyone who responds to all that is good and living in the supreme fictions offered by literary genius. (In Appignanesi and Maitland 1989 p. 13)

Clearly, Rushdie is an example of a writer in English from an ethnic minority who has assumed the status of representative; but the question remains, representative of whom? Rushdie's text, argues Asad:

is constructed from the start within a field of modern reading-and-writing that extends beyond the activities of literary figures to include the scope of modern politics; the text acquires its representative status by tapping the network of images and power made available in that field and not another. (1990 p. 249)

In this field are included "the self-fashioning narratives of militantly atheist readers who remember a repressive religious upbringing" (1990 p. 249), and the post-enlightenment meta-narrative of secular European civilisation's hard won and relatively recent victory over ecclesiastical authority. It has also been suggested that in this secular order literature occupies something of the sacred space once held by religion, and not only in the very literal sense

⁴This procedure is fundamental to 'redaction criticism', a method which predominates in current New Testament scholarship (Tuckett in Coggins and Houlden 1990 pp. 580-2).

proposed by I A Richards and the New Critics of the 1930s: Rushdie's own comments certainly point in this direction. Thus in 1989 he wrote that he possessed "the same God-shaped hole" as Dr Adam Aziz, the patriarch of Midnight's Children, and that "Unable to accept the unarguable absolutes of religion I have filled up that hole with literature" (1990a p. 26). Is Nothing Sacred? (1990b) is constructed around an opposition between his love of literature ("I grew up kissing books and bread" 1990b p. 2), a love which "need not be blind" (1990b p. 3), and faith, which, he contends "must, ultimately, be a leap in the dark" (1990b p. 3). The climax of the essay is a parable in which literature is represented as the special, set aside room in the crowded, run-down, dangerous house which is the world:

Literature is the one place in any society where, within the secrecy of our own heads, we can hear voices talking about everything in every possible way. (1990b p. 16)

But if literary forms are culturally specific, how can they really aspire to universal representation, except by assimilation of all other cultural forms? Yet Rushdie remains oblivious to the imperialism of his discourse. The doctrine of salvation through literature reaches its partly self-mocking extremity in Fay Weldon's notorious defence of Rushdie:

... as a piece of revelatory writing The Satanic Verses reads pretty much to me like the works of St. John the Divine at the end of our own Bible ... St Salman the Divine. Too far? Probably. But if into the weevily meal and the brackish water of our awful, awful society, this good yeast is dropped ... all may yet be well and our brave new God of individual conscience may yet arise. (1990, p. 42)

If one is tempted to defend Weldon and Rushdie's highly reflexive writing by arguing that their sacred space of literature is only a metaphor, not a literal space to guard with one's life, then Asad's comments on liberal responses to the book-burning give pause for thought. A retreat into literalism cannot explain Western revulsion at the burning of books; only memories of the Inquisition and the Third Reich can do that. For while literalism can happily accept that burning or insulting people in a novel is "only a story", when the book itself is burned, not even a story but the mere pen and ink, tempers and hackles rise. This community has a history and its memories demand respect; it has a sacred space opaque to a crude positivist distinction between metaphor (artifice) and literalism (reality).

Thus Rushdie takes his bearings largely from the expectations of this audience, and through this prism explores in the novel the contradictions of life in a plural society. We now turn to consider the light which this kind of perspective throws on the theme of a 'common good' in a plural society, using some passages from The Satanic Verses itself.

2.4. Rushdie and the Common Good: Plurality and Co-existence in The Satanic Verses

'The modern city,' Otto Cone on his hobbyhorse had lectured his bored family at table, 'is the locus classicus of incompatible realities. Lives that have no business mingling with one another sit side by side upon the omnibus. One universe, on a zebra crossing is caught for an instant, blinking like a rabbit, in the headlamps of a motor-vehicle in which an entirely alien and contradictory continuum is to be found. And as long as that's all, they pass in the night, jostling on Tube stations, raising their hats in some hotel corridor, it's not so bad. But if they meet! It's uranium and plutonium, each makes the other decompose, boom.' (Rushdie 1988 p. 314)

In this passage the prognosis for the common good seems bleak. Furthermore, Otto Cone's pessimistic picture would seem justified by the explosion the novel has itself precipitated. Yet other voices in the book speak more brightly. The description of Zeenat Vakil's art-criticism, in her Bombay context, seems suggestive of a way of living with different cultures beyond communalist strife or homogenising secular modernity:

She was an art critic whose book on the confining myth of authenticity, that folkloristic straitjacket which she sought to replace by an ethic of historically validated eclecticism, for was not the entire national culture based on the principle of borrowing whatever clothes seem to fit, Aryan, Mughal, British, take-the-best-and-leave-the-rest? - had created a predictable stink, especially because of its title. She had called it *The Only Good Indian*. 'Meaning, is a dead,' she told Chamcha when she gave him a copy. (Rushdie 1988 p. 52)

Perhaps this passage also anticipates the opposition to The Satanic Verses, another provocatively entitled work. Certainly, there are strong parallels between 'the book' and 'the book within the book'. Both challenge a belief in purity. In The Satanic Verses the purity challenged is the possibility of a sacred text revealed without human interpolation, without accommodation to context, while in The Good Indian the purity challenged is that of aspects of Indian cultural tradition. One is targeted at what the author sees as Islamic fundamentalism, the other at Hindu fundamentalism. Both titles seek to turn an old vice into a new kind of virtue; the colonialist insult and the orientalist taunt into ironic celebrations of eclecticism.

These excerpts from The Satanic Verses give glimpses of Rushdie probing the incongruous juxtapositions of life in multicultural urban settings. While he refers to Bombay, ancient Mecca and, briefly, Teheran, the dominant city in his narrative landscape is "Elloven Deeowen", spelt-out 'London'. Thus Rushdie raises the very issues and describes the very situations on which this thesis reflects. Seen from this perspective, The Satanic Verses is not a simple slander on the Prophet of Islam, but a form of diagnosis, and even a hint of cure, for the disease of conflict threatening plural, rapidly changing societies; a disease which its publication has both tragically and ironically highlighted and exacerbated.

This kind of reading correlates broadly with the critical reception for the book by secularised

audiences, and with Rushdie's expressed intentions. Thus before publication Rushdie commented:

There are things that seem not to belong together, except that it is part of the metropolitan experience that such things do not belong together and do live side by side - that you can live upstairs from Khomeini. What I've tried to do is set alongside each other in odd, sometimes raw juxtapositions all sorts of different bodies of experience to show what frictions and sparks they make. (In Appignanesi and Maitland 1989 p. 9)

In her review, (also pre-publication), Angela Carter too interprets Zeeny Vakil's art criticism as a key to the novel: "The Satanic Verses, as if in tribute to Zeeny's ethic, is eclectic as hell" (The Guardian 23 Sept 1988). She describes it as "an epic into which holes have been punched to let in visions, an epic hung about with ragbag scraps of many different cultures". These "holes ... punched to let in visions" identify the genre as 'magical realism', a style of fiction in which realistic narrative is interspersed with fantastic events, and dreamscapes mingle with political allusion.

Characteristic features of this genre have been outlined by Brennan (1989), using the example of Gabriel Garcia Marquez's One Hundred Years of Solitude, which he compares with Rushdie's Shame (1984). The comparison also holds for the more recent The Satanic Verses. Thus both One Hundred Years of Solitude and The Satanic Verses feature miraculous defiance of gravity (the gypsies' flying carpet in the former, Gibreel and Saladin's safe fall from the exploding jumbo in the latter), young girls haunted by swarms of butterflies, and the frequent appearance of ghosts.⁵ While fantasy in many forms can be seen as influencing Rushdie's work, including the pre-Islamic Arabic tradition of storytelling represented in The Satanic Verses by the figure of the poet Baal, the debt to Marquez's magical realism goes further. As Brennan comments:

What Rushdie borrows from Marquez is ... unique in one respect: he theorises his own use of fantasy, and does so by referring to colonialism. (1989 p. 66).

Magical realism, according to Brennan, "is a genre that serves an ideological role ... as the imaginative expression of freedom" (1989 p. 65). He means political freedom; the idea is that by subverting the realist conventions of modern fiction the hegemony of dominant political ideologies are challenged.⁶ Marquez deliberately apes the fantastical style of early white explorers of the continent, ironically adopting a discourse developed to subjugate a continent as a means of challenging present dominant modes of representation; once again, as we saw in The Satanic

⁵Rushdie's links with Marquez and Latin American magical realism may be mediated through his experiences of travelling in Latin America, recorded in The Jaguar's Smile: A Nicaraguan Journey (1987).

⁶There are perhaps some comparisons to be made between magical realism and apocalyptic: both use fantastical imagery to subvert repressive political regimes, although earnest eschatological expectation is replaced with irony.

Verses, an old insult is transformed into an ironic celebration.

However, while Rushdie's earlier novels, especially Midnight's Children and Shame, have been welcomed as positively contributing to post-colonial literature, some critics have discerned in The Satanic Verses a slide from hopeful engagement in post-colonial struggle to nihilistic and cynical acquiescence in Western postmodernism (Brennan 1989). The salient features identified as postmodern here are an abandonment of left-wing struggles, replacing political commitment with heightened aestheticism (most leading intellectual postmodernists have a Marxist background), in which the dominant metaphor is that of the text or work of art, to be shaped and fashioned at will. Ironic juxtaposition becomes an end in itself, mischievous playfulness replaces politics. For example, Talal Asad forcefully describes objections to this approach:

But everyday life is not so easily invented, abandoned, reinhabited as this notion of culture, modelled on the postmodern idea of an imaginative work of art, suggests. Nor does everyone in the modern world have an equal power to invent, or resist the imposition of someone else's invention. To say this is not merely to remind ourselves of the enormous inequalities of class, race, and gender that still exist. It is also to note that although the strictly privatised role of religion in the modern Western state makes it easy for English believers and non-believers to assimilate it to the category of Literature, most Muslim immigrants in Britain find it difficult to assimilate their practical religious traditions to this category. (1990 p. 251)

Bhikhu Parekh's successive interpretations of The Satanic Verses, while not expressed in the language of postmodern/postcolonial, nonetheless illustrate the differences between political approaches underlying the two. Parekh,⁷ a secularised Hindu, professor of political philosophy at Hull University and deputy chairman of the Commission for Racial Equality, shifts from a reading oriented by a secularised Western context and emphasising the aesthetic merits of the text, to one more sensitive to non-western forms of life. Initially Parekh welcomed the book, both for its brilliant use of English and "because its treatment of religion seemed to advertise the loyalty of a secular Muslim to a secular non-progressive India" (Asad 1990 p. 245). Following discussions with "Muslim friends" however, he began to revise his opinion, concluding that the book embodies a number of contradictions:

An immensely daring and persistently probing exploration of the human condition, ... lies ill at ease with timid obeisance to the latest literary and political fashions; profound seriousness lapses suddenly and without warning into pointless playfulness. ... Intensely delicate explorations of human relationships and emotions are overshadowed by an almost childlike urge to shock, hurt and offend. (1989 p. 31)

Parekh's re-reading is occasioned by exposure to Muslim sensibilities, yet his understanding of the validity of Muslim offence is not Islamic, but draws instead on liberal understandings of "fairness".⁸ Yet even from this perspective, he begins to interpret passages in the book

⁷Parekh's typology of minorities was discussed at 1.5 above.

⁸Elsewhere he appears to participate fully in a patronising quasi-psychological interpretation of

disapprovingly as motivated by "an almost childlike urge to shock, hurt and offend" (1989 p.31).

Parekh's shifting views pose sharply the difficulty in taking account both the interest of the literary community in exploring complex issues of identity in a plural society, the reading on which we have so far focused, and that of the Muslim community, offended by the book's insults of the Prophet, his family and friends. This latter community, and the context of Islam in Britain, will now be examined.

2.5 Another Interpreting Community: British Muslims

In the preceding section we considered how *The Satanic Verses* has been interpreted by some of the literary community, moving from sympathetic readings of the work as postcolonial literature to criticisms of it as out of touch with and insensitive to the experience of many migrants, colluding in rather than challenging the dominant discourses of Western societies. Critics who take this line contrast Rushdie's relatively privileged background with that of most British Muslims. Thus Asad writes:

The remarkable thing about *The Satanic Verses*, considering what's been said about it, is that it isn't about the predicament of most immigrants at all. ... Most Muslims in Britain are proletarian, large numbers of whom have settled in the mill towns of northern England. ... The book's stories do not connect with the political-economic and cultural experiences of this population. (1990 p. 257)

Asad's point is backed up by the available demographic portrait of Britain's Muslim communities. Several prefatory remarks are necessary to introduce this material.

Most population figures for Muslims in Britain are based on place of birth and place of birth of the head of household, and are therefore premised on the assumption "that anyone who comes from a Muslim cultural background and is not explicitly Christian, or of some other non-Muslim religion, is Muslim." (Nielsen, 1992a pp. 39-43, 167-8). This means that caution is needed in comparing Christian or Jewish denominational figures based on church or synagogue membership or attendance with census derived data for Asian religions, since like is not being compared with like.⁹

religious faith, as when he writes: "the first generation of Muslims who turned to religion to give some meaning to their empty lives" (Parekh 1989 p. 31).

⁹National figures for mosque attendance are not available, but comparison between traditions of attendance at regular acts of worship is of limited validity anyway, since such acts signify different things in different faiths, and are influenced by different constraints. For example, *salat*, unlike communion, is not necessarily a communal activity, while Friday worship probably constrains mosque attendance in the West, as since Friday falls during the usual working week it may be difficult to get time off work to attend.

Studies of economic status are also generally conducted by ethnicity rather than religion, so the same inferences are at work. Muslims are often keen to point out that Islam is a matter of conviction not colour, and there are Muslim believers of all ethnicities. While this is true, it is nonetheless also the case that the majority of Muslims in Britain are from South Asian backgrounds (c.70-80%, from Nielsen 1992 p. 41), with most of the rest from the Middle East and Africa, and probably not more than five thousand white converts (1992 p. 43). Thus ethnicity figures, especially where a very high proportion of people from a minority ethnic background are Muslim (e.g. Pakistan, Bangladesh) are a fairly reliable indicator for the religious community. It should also be observed, a point which will bear re-emphasis, that any population generalisations conceal considerable variation within groups.

Given these provisos, we can now turn to consider the evidence for Asad's remarks. This will be drawn from the Policy Studies Institute's survey Britain's Ethnic Minorities (1993), which itself drew on a range of studies conducted during the last decade. Asad's comment concerning geographical distribution is supported for the Pakistani population in relation to other ethnic minorities. Thus while:

For each individual group within the ethnic minority population, the biggest single concentration is in Greater London. ... [it is also the case that] ...the Pakistani population is less concentrated in Greater London and more evenly distributed between three other areas: 19 per cent of people of Pakistani origin live in Greater London, 19 per cent in the Yorkshire and Humberside region, 16 per cent in the West Midlands Metropolitan County and 12 per cent in the Greater Manchester area. (1993 p. 15)

The other main groupings constituting the South Asian Muslim population, namely Bangladeshis, East African Asians, Indians and Malaysians, are more typical of ethnic minority distribution, with approximately half of the population concentrated in Greater London.

The PSI study focused on the economic and social welfare of ethnic minority communities, and their findings are of relevance to Asad's description of Muslim immigrants as "proletarian". Most immigration from Britain's former colonies, or New Commonwealth immigration, came in the post-war years in response to shortages in the British labour market in manual and low skilled occupations, (with Asian immigration peaking some ten to fifteen years after Caribbean immigration). In the post-war years citizens of these countries could freely enter the UK to live and work and easily obtain full British citizenship; but as the post war boom declined and immigrant numbers rose, immigration was progressively restricted through the late sixties and early seventies. Thus most immigrants joined the bottom rung of Britain's economic ladder. The PSI report suggests that in the last twenty years the economic fortunes of different groups have

varied. Thus:

The essential diversity of the different ethnic groups is perhaps overcoming the common role in which immigrants were cast by British society. (1993 p. 151)

So how have the groups which make up the British Muslim population fared? The report concludes:

The findings suggest that the South Asian population contains both the most and least successful of the ethnic minority groups that we have studied. At one extreme we have the African Asian and Indian populations. These groups have higher proportions of well qualified people, have attained comparable (or better) job levels to whites, and have unemployment levels closest to those found amongst the white population. At the opposite end of the spectrum are the Pakistanis and Bangladeshis. They retain the largest proportion, even among young people, with no formal qualifications of any ethnic groups. They have substantially lower job levels than people of other origins, and consistently suffer the highest rates of unemployment. ... Pakistanis and Bangladeshis stand out as the two groups in consistently poorer circumstances than all others. ... these two groups retain high proportions of employees in the semi-skilled and unskilled categories. (pp. 151-4)

This pattern is confirmed by Modood (1990 p. 127), working from Labour Force Survey figures. Together, Pakistanis and Bangladeshis make up the largest grouping of British Muslims - over 50% in figures derived from the 1981 census (Nielsen 1992a, p. 41). The jet-setting cosmopolitans of The Satanic Verses stand a long way from the economic fortunes of these groups. Parekh illustrates the resentment caused by inequalities in social status within the Muslim community by referring to recorded discussions between his colleague and a group of Muslims of mixed educational backgrounds, who had been active in opposition to the book. When asked why they had not involved Muslim intellectuals in "the struggle" against the book, "the reaction was immediate and fierce ... 'All these scoundrels are useless. They were never ours, they never will be'", was the response of one teacher, while a graduate worker in a textile mill commented:

They are all stooges of the whites. They talk a lot about struggle, but when have they been beaten up, lost their jobs or suffered a reduction in their salary? They think highly of themselves and hate us. It even seems they are ashamed of us. (1991 p. 71)

Such conditions and attitudes form the background to this group's reading of The Satanic Verses.

2.6 Compound Deprivation

This diversity of economic fortunes among ethnic groups, and the economic deprivation of certain Muslim groups in particular, calls for further comment. The causes of the relative deprivation of British Muslims were controversially explored in a BBC Panorama documentary early in 1993, entitled A New Underclass? This programme drew on the PSI report and focused on Muslim groups, particularly in Bradford. Links were made between characteristics of South Asian Islamic culture and economic failure, notably seclusion of women and insularity leading to failure of English language acquisition. The growth of drug dealing and prostitution was also reported.

The programme drew furious protests from Bradford Muslims. The portrayal of Muslims as an underclass conceals the economic success of many Muslim individuals, leading to further stereotyping. The pictures of Pakistani youths dealing in drugs clashed fiercely with Muslim views of their faith as a bastion against Western immorality. But probably most offensive was the implication that Muslim poverty, and hence its alleged social consequences, including illicit drugs and prostitution, was at least partly due to a failure to assimilate to mainstream British culture, for example in the form of liberalising attitudes to women and hence altering working practices, and learning English.

In fact, the programme went considerably beyond the PSI report in speculating on the cultural and religious origins of Pakistani and Bangladeshi poverty. The report does note that:

Bangladeshi and Pakistani women, who are nearly all Muslims, have very low rates of economic activity; very high proportions do not work outside the home. Also high proportions have no formal qualifications: many have never had any schooling at all. (1993 p. 158)

However, there is no claim to have established a causal relationship between this and the poverty of these groups. Indeed the report is cautious about the explanations which it does offer, stating the need for further research "to explain this continued relative disadvantage" (1993 p. 156). Yet certain features of the report embody the logic worked out in the Panorama programme. For the report concludes that discrimination against relatively deprived groups cannot explain this relative deprivation, since discrimination is held to apply equally against all ethnic minorities (1993 pp. 155-6). It is this position which drove the Panorama team to look to the internal working of Muslim communities to explain relative deprivation. For if such a position is accepted, explanations can *only* be made either in terms of non-discriminatory factors in British society, or in terms of the internal characteristics of minority groups, and it was to these that the Panorama team turned.

The PSI report itself suggests that the characteristics of the sending communities are probably significant:

The Bangladeshis tended to come to Britain to escape the poverty in their home countries, bringing with them very little in terms of capital and educational qualifications. African Asians, on the other hand, came to Britain to flee political persecution in East Africa. Prior to this, they had formed a highly successful business community, and many were able to bring with them skills, qualifications and even capital to help them in their new country. It is hardly surprising therefore, that a group like African Asians appears to be defeating the constraints imposed by discrimination and disadvantage more quickly than other ethnic minorities. (1993 p. 156)

What is said of Bangladeshis here could also be said of most Pakistanis, who also came from poor, rural backgrounds (Saifullah Khan 1977). The quoted passage perhaps underplays the difference in the skills required by predominantly rural communities, and those of an urban middle class, the respective positions occupied by Pakistani and Bangladeshis on the one hand, and East African Asians in Uganda and Kenya on the other. As well as formal educational qualifications and better opportunities to learn English, the urban, trade and bureaucracy background of African Asians equipped them far better for British economic conditions than rural life in Pakistan or Bangladesh. It should also be noted that African Asians include significant numbers of Muslims - as many as a hundred thousand according to a private survey conducted in 1986 (Nielsen 1992a p. 41).

As far as non-discriminatory factors in British society goes, it is important to consider the British economic context. Migrants to northern mill towns joined a textile industry already in decline, and recessions before the early 1990s have tended to hit the North, with its traditional manufacturing base, harder than the south; we have already seen how Pakistanis are highly represented in the West Midlands and the North. It is likely that such factors which disproportionately affect Muslim communities, but which do not relate to Islamic faith, and external factors, are important in influencing economic fortunes. But what about the position that triggered the search for such factors, the assumption of the uniformity of prejudice against ethnic minorities? Is it correct to dismiss group specific discrimination so easily? The PSI report states baldly that:

Previous research found that racial discrimination was experienced equally by all ethnic minority groups. (Donaldson ed. 1993 p. 155)

It continues by asserting that it is "highly unlikely" that the situation would have changed. The only evidence offered in support of this assumption of stasis is "the fact that both the most and least successful of the groups in the ethnic minority population *have a similar skin colour*" (1993 p. 166, emphasis added). But is skin colour the only criteria on which people discriminate? Are

the clean-shaven Asian professional in a smart Western suit and the mullah with traditional dress and full beard discriminated against solely in the same way, on the grounds of colour? Does history, even immediate context, not influence perceptions? Are media reactions to Muslims in Iran, to The Satanic Verses, to the Gulf War, irrelevant to discrimination in this country?

As was argued at 1.4, community relations in Britain tends to be conceptualised in terms of 'race', with the result that nearly all analytic emphasis is placed on factors producing blanket discrimination against minority groups by the majority community (Ballard 1992). Factors internal to minority groups are only considered when 'external' explanations fail, as here; but the assumption of blanket discrimination across minorities is retained. However, even in social-scientific studies of discrimination and prejudice, which rarely control carefully for cultural let alone religious factors, there is plenty of evidence to suggest that prejudice against ethnic minorities is not uniformly experienced.

Thus Davey (1983) found differences between white schoolchildren's attitudes to West Indian and Asian children, in addition to the well known 'pecking-order effect' between minorities, where the children of another minority are least favoured compared with white children and one's own group. Bagley and Verma (1978) found that "specific racism", that it is racism against particular minority characteristics, was found in high contact areas in their study of adolescents. Kawwa (1968) found that prejudice against Cypriot immigrants in London was stronger than against West Indians, a difference he attributed to greater cultural differences. Significant among such differences is language, highly salient in the case of Pakistanis and Bangladeshis. Indeed, Giles et al. (in Giles ed. 1977), considered language to be the single most salient symbol of ethnicity. It has also been suggested that similarity of beliefs and attitudes are important in racial discrimination. While the weight attached to this by Rokeach (1960) has been challenged, (e.g. by Moss and Adrasik 1973), it seems clear similarities and differences in belief and attitude do play a role in discrimination against ethnic groups.

All this evidence suggests that while discrimination by skin colour may form a basis for prejudice, other distinctions, on the basis of culture, religion or belief, are also likely to play a role. It is worth noting in this context that people with higher levels of prejudice have been found to be more skilled at discerning ethnic differences (e.g. Allport and Kraemer 1946). The specific recent history of economic and military conflict between the West and countries with largely Muslim populations,¹⁰ and of controversy in this country, is likely to have exacerbated such prejudice. Two recent pieces of empirical work support this hypothesis. A MORI poll commissioned by the Muslim IQRA trust in 1991 found high levels of specifically anti-Muslim

¹⁰e.g. the oil crisis in the early 1970s, the Gulf War (1990).

prejudice; 17% said they would not like to have a Muslim family living next door, and two-thirds of those who expressed a view stated a negative perception of Islam. Modood (1990 p. 127) cites a European Commission survey cited in Today newspaper (14 March 1990), which found that "while Muslimophobia had not yet reached French proportions, Asians are the single most disliked minority in this country".¹¹

It is hoped that at least the possibility that discrimination unequally affecting Muslim communities needs to be considered alongside the other possible explanations of relative deprivation. Consideration of the socio-economic status of Muslims has drawn us into discussion of prejudice against Islam. This is not a digression; the attitudes of British non-Muslims toward Islam are central to hopes for the common good in Britain. Such hopes must be nurtured in an environment already fraught with suspicion and mistrust. In the next section examines the importance of specifically South Asian forms of Islam for The Satanic Verses controversy.

2.7. South Asian Islam and The Satanic Verses Controversy

Some commentators on The Satanic Verses controversy have pointed out that the strongest protests against the book came predominantly from South Asian Muslims (Modood 1990, Samad 1992). Samad argues that, with the exception of Iran, the countries most affected by the controversy have been those with substantial populations of South Asian Muslims: India, Pakistan, South Africa and Britain (Samad 1992 p. 510). Modood offers the following explanation of the particular offence caused to South Asian Muslims by the book:

If Rushdie had successfully attacked fundamentalism, as I believe he intended, many Muslims would have cheered and certainly there would not be the present lines of confrontation. It was not the exploration of religious doubt but the lampooning of the Prophet that provoked the anger. This sensitivity has nothing to do with Qur'anic fundamentalism but with South Asian reverence for Mohammed (deemed by many Muslims, including fundamentalists, to be excessive) and cultural insecurity as experienced in Britain and even more profoundly in India. (1990 p. 129)

This interpretation is supported by the fact that the offending passages circulated in the Muslim communities were those which were seen as using "'obscene' and 'foul' language ... in the discussion of Mohammed and his family and companions", and not those which criticised Islam as an organised religion. (Parekh 1991 p. 71) The pir, sheikh, or holy man, plays an important role in South Asian Islam, and this tradition of reverence for holy men reaches its height in the person of the Prophet. This is particularly evident in the case of the Brelwi movement, one of the

¹¹See Halliday 1996 chapters 4 and 6 for further discussion of anti-Muslim prejudice.

largest Muslim movements in Britain.¹² Such is the Brelwi reverence for Mohammed that "the Brelwi movement is accused by its opponents of treating Mohammed like a deity" (Nielsen 1992a p. 133). In this context insult to Mohammed is acutely felt.

There is also the matter of izzat, or honour, often associated with the biraderi, or extended family, but which can also be associated with a wider community. Standing up to insult against Mohammed came to be seen as a matter of pride by a community already bruised by the controversies of the 1980s, economic deprivation and racism. However, this emphasis on the South Asian dimension sits uncomfortably with the commonly expressed view that the controversy served to unite the British Muslim community. Thus Pnina Werbner has written:

...the protest against *The Satanic Verses* was a genuinely populist response which caught up almost everyone in the Muslim community. (1991 p. 344)

The perceived violation of central Islamic values has mobilised the normally fragmented Muslim religious community in a broad unified alliance. (1992 p. 20)

Another contrary view is that of Samad, who makes the focus of the protest even narrower than South Asian Muslims, arguing that events in the previous decade in Bradford made protest there far more significant and sustained than elsewhere in Britain. In support of this claim he argues:

There are sixty thousand Bangladeshis in Greater London whose involvement was relatively low key in comparison. ... Their large scale participation in the campaign was limited to two demonstrations at Hyde Park. The involvement of Muslims from India, Turkey, Cyprus and the Arab world was on an even lower level and mainly limited to orthodox Muslims. (1992, p. 511)

Perhaps these disparate views can be reconciled by saying that local variations in Britain affected the intensity of the campaign, and its main impulse came from South Asian Muslims, especially Pakistanis, but that nonetheless the campaign drew widespread support in Muslim communities. Nielsen, who also explores the South Asian dimension, writes:

As many Muslims of all kinds of backgrounds said and wrote at the time, there was a deep revulsion at the insult to Islam, and especially to the person of the prophet, contained in the book. (1992a p. 158)

This support increased as the British press turned what they widely perceived as a witch hunt against Rushdie and freedom of speech, into what Muslims, and as we have seen with Sen, increasingly other ethnic minorities, saw as a witch hunt against Muslims. Such a perception

¹²Lewis (1994a pp. 36-48) describes five traditions of South Asian Islam, all marked by colonial encounter, and influential in Britain (in particular, in Bradford). These are characterised as: "the reformist Deobandis, the quietist and revivalist Tablighi Jamaat, the conservative and populist Barelwis [sic], the Islamist Jama'ati Islami and the modernists" (1994a p. 36).

developed in a decade in which British Muslims had already been engaged in several public controversies. We now turn to consider these, with specific reference to Bradford.

2.8 The Politicisation of British Muslims: The Example of Bradford

In the previous sections we have at different points come across the thesis that Bradford played a leading role in the campaign against the book (e.g. Samad 1992). Reasons for this include the high proportion of South Asian Muslims in the city; fifty thousand Muslims compared with nine thousand Hindus and eight thousand Sikhs, in a Metropolitan district of about four hundred and fifty thousand (Lewis 1993b p. 119). Most of these live within a half dozen or so inner-city wards. There are a high proportion of Brelwis, who as we have seen hold Mohammed in particular esteem; ten of the twenty-six mosques located in Bradford by Ruthven were Brewli (1990 p. 81). In addition to these reasons, the involvement of Bradford Muslims in campaigning on several local issues (some of which have had national ramifications) during the last two decades, may have prepared the community, organised through the Council for Mosques in particular, for a campaigning role.

(i) **Bussing.** The first of these issues was opposition to the council policy of 'bussing', a policy which lasted from 1964 to 1979 (Halstead 1988 p. 37). This involved taking children from areas with high concentrations of ethnic minorities to predominantly white areas, and theoretically, though rarely in practice, vice-verse. Many Muslim parents objected to this inequality, as well as to the inconvenience caused, for example in attending parents' evenings and other extra-curricular events, especially when fewer Muslim parents in the inner city had access to cars than suburban parents. There was also the suspicion, well-founded in economic terms, that the policy persisted after it had been abandoned elsewhere in the country because it saved money - the rapid growth of the ethnic minority population called for a large building programme in the inner city if all were to be schooled there. Probably the main issue, however, was one of the right of children of minorities to education in their own area, and the notion of 'community schooling'. Halstead tells us that:

Councillors Ajeeb and Hameed called the policy racist and considered it an affront to the freedom and dignity of ethnic minority parents. (1988 p. 39)

Parents, teachers and others organised to present a thousand-signature petition to the Council in 1979, which together with pressure from the Commission for Racial Equality led to the policy being dropped.

(ii) **Halal Meat.** Halal ('permitted') meat, has been slaughtered in accordance with Islamic law, and is only kind of meat which Muslims are allowed to eat. Although the 1974 Slaughterhouse Act gives local authorities licence to permit halal and kosher (Jewish) methods of slaughter, public institutions did not serve any halal meat until 1983 (Halstead 1988 pp. 45-6). In Bradford schools then, Muslim children had to opt for vegetarian meals; and as numbers grew through the seventies, so pressure from Muslim parents to provide halal meat mounted. In 1983 the local education authority piloted a scheme which extended to cover sixty schools within a year; however opposition followed from an unlikely alliance of animal rights activists and the National Front. Muslims organised in reaction, presenting a petition with seven thousand signatures to support provision. In March 1984 the council voted by a large majority to continue the service (Halstead 1988 pp. 45-6).

(iii) **Honeyford.** The Ray Honeyford affair saw the Muslim community take a leading role in organising the campaign for the removal of Honeyford, head teacher of Drummond Middle School between 1980 and 1985. Between 1982 and 1984 Honeyford published several articles in the right-wing journal The Salisbury Review and The Times Educational Supplement. In these he made offensive remarks about Asian and Afro-Caribbean cultures, accusing Asians of importing "the hysterical political temperament of the Indian subcontinent", and describing Pakistan as "a country which cannot cope with democracy ... the heroin capital of the world", and which, he added, is a "fact which is now reflected in the drug problems of English cities with Asian populations". In the same article, Afro-Caribbean homes are portrayed as places "where educational ambition and the values to support it are conspicuously absent" (1984 p. 31).

Honeyford also provided a New Right justification for monocultural education policies. He argued that in the "pretty ruthless meritocracy" of early eighties Britain children need an education which equips them to compete in terms of mainstream culture; it is therefore a mistake to attempt to "enhance the self-respect of settler children by teaching the culture of their parents' mother land and a critical view of British imperialism" (in Halstead 1988 p. 57).

A variety of parents, Asian and Muslim groups campaigned for Honeyford's removal, rivalry developing for leadership between the secular and left-wing Asian Youth movement and the Council for Mosques (Samad 1992 p. 513). Bradford council, while split cross-party over the issue, were at odds with Honeyford over his highly public criticisms of their 'multi-racial' education policies. Support for Honeyford was considerable; the 'Friends of Drummond Middle School' collected some ten thousand signatures in his support, and his union, the National Association of Head Teachers gave him full support throughout (Samad 1992 p. 514). Eventually a controversial settlement was reached whereby Honeyford agreed to early retirement in exchange

for a substantial payoff.¹³

The extent of the support for Honeyford suggests that the affair resulted in, or exposed, considerable ill-feeling toward Bradford's Muslims. As for internal organisation, Samad comments that:

No organisation involved in the Honeyford affair emerged as undisputed leader of the Mirpuri community. But it had opened new vistas of agitational politics to the Bradford council of Mosques and given them credibility in the eyes of the politicised Mirpuri youth. (Samad 1992 p. 514)

Education has been a common theme in these 'politicising' events for Bradford's Muslim, predominantly Mirpuri community. Two further issues of relevance are also concerned with education.

(iv) **1988 Education Act.**¹⁴ The first of these issues is the 1988 Education Act, specifically the provisions relating to religious education and the conduct of assemblies. The Act requires that education should be "mainly" and "broadly Christian", worship "mainly or wholly" so; schools wishing to have a lower proportion of Christian assemblies must apply for a special licence renewable every five years, a position which has considerably antagonised some Muslims, (Akhtar 1993). The provisions for religious education appear to run contrary to the direction of developments during the last thirty years to 'pluralise' religious education in schools, which have involved a shift from confessional, religious nurture approaches towards methods which seek to impart an understanding and appreciation of the variety of religious traditions without commitment to any of them.

Muslim views of these approaches vary; more orthodox Muslims are likely to be suspicious of the non-confessional approaches, seeing here the tacit inculcation of secular humanism, in terms ranging from disdain for a 'wishy-washy' approach to the full-blown conspiracy theory of Kalim Siddiqui:

The western civilization is fundamentally an immoral civilization ... such moral values as survived the Christian experience were systematically eradicated. ... those parts of our societies that the West has succeeded in disintegrating from the highly integrated Islamic social order all display the same symptoms of corporate selfishness and a shift away from moral behaviour. (In Nielsen 1991 p. 469)

Siddiqui draws attention to the moral implications of 'western civilization', refusing the western

¹³ Apparently a £70 900 lump sum plus £6 500 p. a. index linked, as against the £161 000 rumoured (Halstead 1988 p. 110, Samad 1992 p. 514).

¹⁴ This is considered in more depth in Chapter 8 below.

self-image of neutrality. His style may be confrontational, but Siddiqui is not alone in making the latter point. Some educational theorists have also challenged this perception of neutrality, seeing approaches which attempt to combat prejudice as prejudiced and ethnocentric themselves:

The comprehensiveness of constituent cultures is subordinated at critical points to the practical judgement of an established educational philosophy which is assumed to be logically prior to all others. (Hulmes 1989 p. 13)

In these circumstances, Muslims may prefer a Christian orientation to religious education to secular approaches, the former being seen as closer to an Islamic value system. But the implied normativity of Christianity in the Act is likely to be resisted, often in the form of the demand for separate schools.

(v) 'Separate' Schools. As yet, there are no voluntary-aided Muslim schools, enjoying the same combination of state funding status and religious foundation as Anglican, Catholic and Jewish schools.¹⁵ There are a number of independent Muslim schools, including the Muslim Girl's High School in Bradford (now Feversham College),¹⁶ which has up to one hundred and twenty pupils between eleven and eighteen years of age. Repeated applications for voluntary-aided schools with religious foundations outside the Jewish and Christian traditions have consistently been refused by councils in various parts of the country (Halstead 1988).

The Muslim community appears to be divided in its attitude to such schools; for example in 1983 the Bradford Council for Mosques voted 13-8 against a proposal to convert Belle Vue Girl's school into one. The latter is one of the few surviving single sex state schools in the area, and has predominantly Muslim pupils. Local authorities have tended to avoid making a decision in principle on the issue, giving instead a variety of reasons for their decisions, including the grounds that sufficient provision is already available in existing schools, which may have to close if a new school opened, or, in the case of Belle Vue, that insufficient Muslims were in favour, and that financial and administrative resources were inadequate to support the project. The advent of government encouragement of schools to opt-out of local education control is likely to pose the issue afresh; it may be noted that Honeyford has "expressed provisional support" for such schools, and that the Labour party has dropped its opposition to them (Halstead 1988 p. 45).

The field of education is a central one for the common good: in schools, children receive their preparation for participation in society; hence this theme will be developed at 8.2-8.5. Each of the cases considered here - opposition to bussing and Honeyford, support for halal meat provision, and support for Muslim schools (albeit divided) - indicate opposition to an assimilationist attitude

¹⁵This is considered in more depth in Chapter 8 below.

¹⁶In British Muslims Monthly Survey for March 1996, vol. 4, no. 3, p. 14.

in which:

Virtually all the cultural adaptations and transformations were expected from the side of minority groups. (Halstead 1990 p. 49)

The Bradford example shows the Muslim community increasingly willing to contend actively for the maintenance of their religious tradition.

2.9 Bradford in the British Context

In her work with Manchester Muslims Pnina Werbner provides evidence of a parallel development to that we have traced in Bradford. She sees the timing of The Satanic Verses controversy as significant, coinciding with a growth in the self-confidence of the community. She quotes a speech from the Pakistani Ambassador to an Asian Business Seminar held in Manchester Town Hall on 16 January 1989, the day of the Bradford book-burning. He highlights the changes that he has observed during the previous decade:

I have come back to Britain after ten years, twelve years, and I find a total change. A total change in the environment. A change much for the better. The basic trauma, the basic tensions, the basic contradictions have been overcome. People have begun not only to settle and adjust, but are now poised to participate and contribute. ... The community now has businesses, the community has houses, it knows that its families are coming ... if someone gets married, it may take a little time. *But they know their rights. They know how to go about things.* (in Werbner 1991 p. 336, emphasis added.)

Werbner's premise in the article is that this kind of statement would not have been possible even a few weeks later (i.e. after the Bradford book-burning). Yet the public rhetoric did refer to a reality:

Thus, it needs to be recognised that it was the growing prosperity and self-confidence of the community, its numerical strength, its establishment of a vast array of economic, cultural and especially religious institutions in Britain, its 'success' in other words, which enabled the powerful rise of the movement [against The Satanic Verses]. ... Even as it disguises hidden truths, an event's facade constitutes a currently 'real' public truth. (Werbner 1991 pp. 344-5)

Such a view contrasts sharply with the picture presented by the PSI survey (above, 2.6), and which seems to have widespread support. For example Modood, who rejects the homogenising 'racial' approach, accepts the relative economic deprivation of British Muslims considered above to be indisputable. Thus he writes:

That South Asian Muslims form a virtual underclass in Britain there cannot be much doubt. Throughout the 1980s, of the nine non-white groups identified in the Labour Force survey, Pakistanis and Bangladeshis have suffered the highest rates of unemployment, have the lowest number of educational qualifications and the highest profile in manual work; and this

is true not just for women, but also men, and not just of the middle-aged (the first generation), but also of the young. They have had the most adverse impact from immigration laws and rules, they have the worst housing and suffer from the highest levels of attack on person and property. (Modood 1990 p. 127)

What sense can be made of these contrasting pictures? Werbner is reluctant to dismiss the Ambassador's remarks as out-of-touch rhetoric: the Asian Business Seminar witnesses to the economic success of many Muslims, as the political activity in Bradford witnesses to their growing participation in civic life.

The pictures can perhaps be reconciled if the reality of both widespread deprivation and the substantial prosperity of certain groups is recognised behind the gloomy overall statistics. Success carries with it an expectation of further recognition and respect by the wider society, as well as added frustration in both economic and cultural spheres, when success or recognition are slow to come. Arguably, it was this expectation of wider recognition which received a severe rebuttal by the majority response to The Satanic Verses controversy. The effect of the struggles which have been outlined, and especially of The Satanic Verses controversy, has been to greatly increase both the determination and capacity, in the form of political organisation, of Muslim communities to maintain and promote Islamic values and traditions. Nonetheless an overall representative body, like the British Board Jewish Deputies, remains lacking (see 5.4 below). The next section considers these struggles in the broader context of the ummah, the world-wide community of Muslims, and of the relationship between Islam and the West.

2.10 British Muslims in a Global Context: Modernity and Postmodernity

The historic antagonisms between Islam and the West can be seen in new light using the perspective of sociological theories of modernity and postmodernity, as the Muslim sociologist Akbar Ahmed's Postmodernism and Islam (1992) illustrates. Ahmed provides a reading of the present global situation of Islam, which uses the western critique of western modernity collected under the umbrella of 'postmodernism',¹⁷ particularly social theory, drawing on the work of sociologists such as Giddens, Harvey, Lash and Bauman. In this context, British Muslims' protests against The Satanic Verses controversy can be seen as an example of the struggle of religious and cultural minorities world-wide to assert their local identities in response to the global spread of western culture. It is worth emphasising here that I am following Henri Tajfel's (1978) definition of a minority as a subordinate segment within a political unit (usually a state

¹⁷Ahmed uses 'postmodernism' where Giddens uses 'postmodernity', for the whole set of conditions which follow modernity. Giddens uses 'postmodernism' for "aesthetic reflection on modernity" (1990 p.45). I shall follow Giddens' usage.

society), that is, as a term denoting power relations, rather than as a numerical term (1.3 above).

Western culture, expressed through technology and socio-political order, brings new powers of integration and differentiation, both unprecedented connection and threat. British Muslim protest against The Satanic Verses in Bradford can be viewed in terms of this global context, described by Charles Bright and Michael Geyer as "a struggle over the terms of [global] integration" (1987 p. 69). They write:

This struggle for autonomy - the assertion of local and particular claims over global and general ones - does not involve opting out of the world or resorting to autarchy, it is rather an effort to establish the terms of self-determining and self-controlled participation in the processes of global integration and the struggle for planetary order. (1987 p. 69)

The world domination of the West is both questioned from within by the Western characteristic of reflexivity (the tendency to critically examine the sources of one's own power and knowledge), and challenged from the periphery by subordinate groups who have learned to use this feature of Western culture to question its hegemony. Ahmed draws attention to central features of 'postmodernism' described by sociologists, emphasising features relevant to his analysis of Islam's role in the contemporary world. He starts with:

a questioning of, a loss of faith in, the project of modernity; a spirit of pluralism; a heightened scepticism of traditional orthodoxies; and finally a rejection of the world as a universal totality, of the expectation of final solutions and complete answers. (1992 p.10)

He also notes the importance of the media (1992 p.11), and the related "juxtaposition of discourses ... mixing of diverse images" (1992 p. 25), and the rapid urbanisation of the global population (1992 p.18), associated with the breakdown of traditional social relationships. In this context he draws attention to the inadequately explored "connection between postmodernism and ethno-religious revivalism" (1992 p. 13), and to the Muslim hope that:

If modern meant the pursuit of Western education, technology and industrialisation in the first flush of the post-colonial period, postmodern would mean a reversion to traditional Muslim values and a rejection of modernism In Muslim society postmodernism means a shift to ethnic or Islamic identity (not necessarily the same thing and at times opposed to one another) as against an imported foreign or Western one. (Ahmed 1992 p. 32)

Ahmed also emphasises the continuity between modernity and postmodernity:

We [Muslims] emphasise its [modernity's] European context and origin; and we point out that many of its features are continued, in altered form, in postmodernism. (Ahmed 1992 p. 32)

The loss of confidence in modernity is driven both by the reflexivity inherent in the Western tradition, and by the assertion of local identities in the post/neo-colonial period. But,

paradoxically, the assertion of local identities is itself contingent on modernity, drawing on Western culture to assert local autonomy. This can be illustrated particularly powerfully in the case of the media.

The Western-dominated media links Muslims in Palestine, Bosnia, Iraq and Britain, connecting the global ummah and hence creating unprecedented possibilities for solidarity. But, at the same time, many Muslims feel:

a numbing awareness of the power and pervasive nature of the Western media which are perceived as hostile. (Ahmed 1992 p. 32)

The news that the media often bring is that of the suffering inflicted on Muslims in many different parts of the world (Palestine, Iraq, Ayodhya, Bosnia), frequently transmitted through caricatures of Muslim cultures. For example, Ahmed describes the dominant portrayal of Saddam Hussein "and, by extension, all Arabs" during the Gulf crisis as "one dimensional", and comments:

It therefore dehumanised Arab civilization, reducing it to a nonsense. Arabs were shown as either playboys squandering money in European casinos, or bully-boys terrorising smaller neighbours. (1992 p. 229)

Ahmed continues by describing the consequences for the attitude of American troops in the Gulf:

For the American GI on the Arabian peninsula there was little difference between the Arabs he was defending and those he was to attack. Both were 'desert niggers'; and he had contributed a racist neologism. When the GI on television said "I'm here to kick ass", it was difficult to predict which posterior - friend or foe - was destined to receive the imprint of his undoubtedly large boot. (Ahmed 1992 p. 229)

I am not trying to argue that Western media presentation of Muslims is entirely "one dimensional", nor that the Western media have complete global hegemony; nonetheless, as the recent Channel 4 series Channels of Resistance (1993) pointed out, most of the largest international news networks are indeed US based multinationals, driven primarily by competition for exposure to a domestic American audience. In the free market of the airwaves, Americans still have the biggest buying power, although maybe not for long.

Yet, as the Channels of Resistance series also illustrated, film and video, from amateur video smuggled out to break the Israeli imposed silence on the occupied territories, through consciousness raising for Bolivian shoe-shiners, to a full-length professional documentary of Noam Chomsky denouncing the seduction of the media, media technologies can be used to assert local identities and resist dominant images. Thus Giddens' argument seems correct, at least for the example of the media:

modernity is *not* just one civilization among others The declining grip of the West over the rest of the world is not a result of the diminishing impact of the institutions which first arose there but, on the contrary, a result of their global spread. (1990 pp. 51-2)

On this broad canvas Muslims globally, and especially minorities in the West, feel their culture threatened. The West has brought changes which appear irreversible; whether it is Western nations which continue to exert global power (the Gulf war shows how powerful these nations remain), or the power of the products of Western culture, from the motorcar and weaponry to mass communication and the international capitalist trading system; such challenges seem set to persist. In this environment, what stake can British Muslims feel that they have in the common good? The next section considers the case that Muslims were unfairly treated by the British press in its coverage of the Satanic Verses controversy.

2.11 British Muslims and the Media

I do not want to see Salman die, that is immoral and wrong, and anyway not what the majority Muslim population here want. I don't even think the book should be banned. But right from the beginning, I have felt that everyone was treating the Muslim protest as if it was completely crazy. This freedom of expression - why do we have pornography and libel laws, and a law of blasphemy which applies only to Christianity? How can that be fair? (cited in Alibhai 1989b p. 12)

These words from a young Muslim teacher in Bradford shortly after the fatwa contain the kernel of the Muslim case against liberalism as manifested in the widespread media response to Muslim protests. Even in its own terms, the liberal response to Muslim calls for action over the book of arguing for unrestricted speech can be seen as unjust, or at least in need of further justification. For speech is already restricted in the UK in the interests of private individuals (libel), national security (e.g. Spycatcher), 'racial' minorities (incitement to racial hatred), public morality (restrictions on pornography) and even Christianity (blasphemy): so why not protect Muslims against similar verbal assaults?¹⁸

Shabbir Akhtar describes the dominant media response as "The Liberal Inquisition", a title which places Akhtar's approach in the growing tradition of scholarship which argues that stereotypes of Islam from long dead battles persist in Western popular imagination, and that secular tolerance is both a recent acquisition and perhaps even a misdescription (Said 1978, Kabbani 1986). Akhtar describes the coverage of the affair in the following terms:

Western commentary can safely be seen, even by non-Muslims in retrospect, as shallow and extravagant. To be sure, some newspaper and television coverage was investigative and balanced. But overwhelmingly it was accusatory in its very format, inviting hasty and

¹⁸This question will be addressed further at 2.12 below.

unoriginal judgement against Muslims. ... Oddly enough, the quality papers differed from such papers as The Sun and The News of the World mainly in their choice of more sophisticated language, since the content was substantially identical. (1989, p. 40)

Richard Webster supports Akhtar's case with reference to the coverage of The Independent and The Independent on Sunday, papers which perhaps devoted the most space to the controversy. Yet even in the "huge coverage" during the fortnight leading up the first anniversary of the fatwa, central issues of free speech, blasphemy and the law "were treated by the paper's own editorial staff as though they had been resolved in advance" (1989 pp. 115-6). Webster even concurs with Akhtar's rhetoric, using the phrase "Liberalism's Holy War".

The deeper issue here is whether liberalism's self-perception of neutrality is ever justified. At 3.2 we shall pursue this question further. But at this stage it is worth re-emphasising that the kind of Muslim case which we have considered in this section is one which is itself constructed from liberal premises - essentially a matter of seeking equal treatment (i.e. freedom from abuse) for people from a minority religious tradition. This being the case, we might expect that the Muslim position would find some support in the legal system of a liberal state. The next section considers the possibility of a legal solution to the controversy.

2.12 A Legal Solution?

The influence of the free speech defence of The Satanic Verses is illustrated in the fact that the British government justified its non-interference with the book on the grounds of free speech within the law (3.2 below). It was argued that both this advocacy of free speech, and acceptance of certain reasons for its curtailment, must be viewed in the context of certain core values in Western democratic societies, in particular a notion of individual autonomy within the constraints of the modern nation state (Patten 1989 in CRE 1990a p. 86).

In response to this position, it may be suggested that in a society where the development of autonomous individuals is valued, since the development of autonomy depends on some prior learning, or 'embedding' in a cultural tradition, the right to publish material which is offensive to traditional minorities should not be taken as automatic, but considered in the context of the other goods involved.¹⁹ As shown at 2.11, other sources of verbal offence are already forbidden under English law. Some of these may seem a good deal more trivial than insult of the central figure of a major religious tradition; for example in 1993 Elton John was awarded three hundred and fifty thousand pounds damages for libellous allegations about his eating habits (The Guardian 5 Nov

¹⁹This argument is developed by Fitzmaurice (1993); see 3.4 below.

1993).

In this context, the final section of the chapter poses the question: since existing law gives Muslims no means to pursue their grievances against the book, should the law be changed in order to allow them to do so? Sebastian Poulter, Reader in Law at Southampton University, has written both about ethnic minorities and British law (1987, 1988) and specifically about The Satanic Verses controversy (in CRE 1990a), while Simon Lee, Professor of Law at Queen's College Belfast brings his experience of inter-communal strife in Northern Ireland and a broad perspective on the relation between free speech and the law to bear on his considerations of The Satanic Verses controversy (1990, 1992 in Bowen ed.).

Poulter observes that English law has been quite flexible in its accommodation of ethnic minorities in a number of ways. Jews are exempt from Sunday trading laws under the Shops Act (1950), provided their shops are shut on Saturday (in CRE 1990a p. 15). Both Jews and Muslims are exempt from the usual slaughter regulations to enable slaughter to follow traditional (kosher, halal) methods, while Sikh motorcyclists are exempt from the requirement to wear crash helmets if they wear turbans. Following the laws against racial discrimination, rulings mean that Asian women can wear trousers at work where white women cannot, and Rastafarians cannot be refused work on the grounds of refusal to cut off their dreadlocks (CRE 1990a pp. 13-14).

This flexibility goes beyond the letter to the interpretation of the law. Parekh (in CRE 1990a) gives several examples of cases where judgements have taken account of people's cultural or religious background. Thus in 1980 the Court of Appeal reduced the sentence of a Muslim woman found guilty of importing cannabis on the grounds that "she was totally dependent on her brother-in-law and was socialised by her religion into subservience to the male members of her household" (1990a pp. 72-3). In 1974 a Nigerian mother was convicted for inflicting wounds on her sons' faces in accordance with tribal custom, but was granted an absolute discharge (Parekh in CRE 1990a p. 78).

Two points need to be made here. First of all, these examples illustrate how equality before the law is taken to mean equality which takes account of context, rather than crude uniformity. Thus Poulter writes:

while the hallowed principle of 'equality before the law' (which has been cherished as part of 'the rule of law' since Dicey first wrote about it in 1885) generally requires English law to be colour blind, it does not require it to ignore important religious and cultural differences. (In CRE 1990a p. 21)

This is an important point, which should be born in mind when considering The Satanic Verses

controversy. But secondly, each of the cases involves the permission of particular minority practices, rather than the prohibition of practices offensive to a minority. Minority practices may be tolerated, but should minority sensibilities be embodied in law? To answer this question Poulter turns from English to international law, and in particular to human rights. Britain is a contracting party to both the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR), and in the absence of a written British constitution or bill of rights, it is in this direction that British judges must look for advice on such matters (in CRE 1990a p. 16).

Poulter first affirms Rushdie's right to life under these treaties. The question of legality in terms of shari'ah has already been considered (2.2), where it was found that it is disputed whether Rushdie had committed the kind of apostasy (riddah) which merits a death sentence²⁰ (Ally 1990a), and that Khomeini's pre-eminent status as a faqih (expert in Islamic jurisprudence) extends only to the minority Shi'ite community. Yet, as Ruthven comments, such arguments:

should not be allowed to obscure the fact that if Rushdie had published his book in Egypt or Pakistan, he could quite legitimately have been condemned to death according to the laws of Islam. Would public opinion in the West, unanimously outraged by the fatwa, have acknowledged the right of an Islamic tribunal to try Rushdie? (1990 p. 153)²¹

Ruthven is guilty here of obscuring the distinction between shari'ah and its partial implementation in countries with hybrid (incorporating post-colonial, local and Islamic influences) legal systems, and of over-simplifying Rushdie's case. Nonetheless, his statement indicates that, for whatever political or other reasons, a substantial body of opinion in some Muslim countries would condemn Rushdie to death, and in some countries would have the legal and political influence to enforce this penalty. Thus The Satanic Verses controversy is not simply a matter of the minority accommodation in a plural liberal society, but illustrative of a clash of values at a global level, seen here in the conflict between international law and shari'ah, or, at least, some of its interpreters.

The second right considered by Poulter is freedom of expression. He notes the invocation of this by Rushdie, his publishers, the press and the Government, but comments that such citations rarely mention the duties and responsibilities associated with freedom of expression in international treaties, or that it may be curtailed if the rights of others are threatened (in CRE 1990a p. 17). However, the European Court of Human Rights seems to consider freedom of expression to be a particularly important right, stating in a verdict on a case in 1976, (reiterated in 1978), that freedom of expression is:

²⁰For further discussion of shari'ah pertinent to this point see 5.6-5.7 below.

²¹The plight of Egyptian writers who have had a fatwa for riddah issued against them was recently the subject of a BBC Everyman documentary (4 Dec. 1994).

... one of the essential foundations of a democratic society, indeed one of the basic foundations for its progress and for the self-fulfilment of the individual.

This even includes ideas which:

...offend, shock or disturb the state or any section of the population. Such are the demands of that pluralism, tolerance and broadmindedness without which there is no "democratic society" (in CRE 1990a p. 18)²²

And yet, when Gay News went to the European Commission of Human Rights to protest against Mary Whitehouse's successful private prosecution of them under the English blasphemy law over a homoerotic portrayal of Christ, their application was rejected as "manifestly unfounded" (Poulter in CRE 1990a p. 18). Hence international law does not appear to accord freedom of expression automatic precedence over other rights, and in this case expressly restricted it in deference to religious sensibilities.

The third right discussed by Poulter is freedom of religion. Does this include freedom from insult, or just freedom to practise religion? English law seems undecided. According to Lord Scarman's verdict on the Gay News case (Whitehouse vs. Lemon 1979), freedom of religion "by necessary implication, imposed a duty upon all to refrain from insulting or outraging the religious feelings of others" (in CRE 1990a p. 18). However, his conclusion has been questioned by the Law Commission (in CRE 1990a p. 27).

Taking these cases together, it seems fair to conclude that no unambiguous priority of freedom of expression over freedom of religion, including freedom from gross insult to one's religion, can be determined from English or international law, but rather that it is a matter of judgement in particular cases.

The fourth and final right considered by Poulter is that of freedom from discrimination on the grounds of religion. In the ECHR this principle is connected with the list of rights guaranteed in the treaty (in CRE 1990a p. 19); this implies that the rights of all groups should be equally protected. The present blasphemy law, which protects only Christianity, appears to contravene this principle. Given its contravention of the ECHR, the options for this law would appear to be extension to other faiths or abolition. If Scarman's interpretation of freedom of religion including freedom from vilification is correct, then the blasphemy law is one means of enforcing this principle. If, however, Scarman is wrong, then any blasphemy law goes beyond the requirements

²²Judgement of 7 Dec. 1976 par. 49 (1979-80) 1 EHRR 737 (CRE 1990a notes).

of the treaty.

A number of objections are commonly raised to extension of the blasphemy law. Notably, the government has argued that it would be too difficult to define the charge, given different faith perspectives, and that it might lead to a flurry of litigation which would damage relations between faiths (Patten in CRE 1990a pp. 84-7). In response to the first point Poulter argues that no international treaty defines religion, but this has not precluded its protection in the past; blasphemy in particular has been legislatively prohibited by British authorities in religiously plural contexts such as India and other former territories in the colonial period (in CRE 1990a p. 19). Answering the second point, Poulter points out that since blasphemy here is being defined as "scurrilous abuse" rather than denial of truth, such fears may be unfounded.

Certainly, there appears to be widespread discontent with the blasphemy law in its present form. A seminar hosted jointly by the CRE and the Interfaith Network in 1989 in response to The Satanic Verses controversy, which was attended by more than forty delegates including representatives of different faiths, legal experts, publishers and community relations organisations, collectively endorsed the Rt. Rev Jim Thompson's verdict as chair that "the existing law of blasphemy was very unsatisfactory because it had an inaccurate target, many difficulties in its implementation. and was too limited in its application" (CRE 1990 a p. 56).

However, extending this law, with its distinctively Christian history and terms which do not really fit the categories of other faiths, also seems fraught with difficulties. In response to this Prof. Simon Lee has suggested the modifications of more modern laws to cover offences against religious groups. One such possibility is the extension of the law against incitement to racial hatred to cover religious hatred. At present this provision exists in Northern Ireland but not in England and Wales, while the racial hatred provision applies in England and Wales, but not in Northern Ireland.

Lee contends that while consistency and fidelity to international law would suggest that both kinds of incitement should be outlawed on both sides of the Irish Sea, in practice the law has not worked in Northern Ireland - no successful prosecutions from its introduction until at least 1990 (1990 p. 86), although recent attempts to strengthen it since the peace process began may change the situation. The racial hatred law had the requirement to prove subjective intent removed in 1986 to make prosecution easier, but this has not yet extended to religious hatred in Northern Ireland (1990 p. 87). Yet, even with this modification, securing conviction would be likely to prove difficult.

Lee argues that the blasphemy law directed public attention in a fruitless and contentious direction, but that the amount of attention focused on it testifies to the power of law, even an archaic and rarely invoked one, to shape public debate (1990 p. 92). He therefore suggests that even a law against incitement to religious hatred on which it is difficult to secure convictions could serve a useful symbolic function, and could help shape public debate down more constructive channels:

A shift in focus of the law [away from blasphemy] might have diminished conflict and dissatisfaction. ... A law against incitement to religious hatred might well have contributed something positive in this direction. (Lee 1990 p. 87)

Another alternative would be some form of group libel offence. The New South Wales Anti-Discrimination (Racial Vilification) Amendment Act 1989 comes close to this (Lee 1990 p. 90, CRE 1990a pp. 90-9). Moderation in application is promoted by several measures. First, the requirement for prosecutions to gain the consent of the Attorney General, second by the Attorney General's power to order an apology, and third by a public interest defence. The latter protects from prosecution:

a public act, done reasonably in good faith, for academic, artistic or research purposes in the public interest, including discussion or debate about and expositions of any act or matter. (Cited in Lee 1990, p. 90)

Here we see a legislative embodiment of the need for an autonomy promoting society to weigh the educative value of controversial material against any offence caused to minority groups. The inclusion of "artistic...purposes" here is particularly important. Horton points to the tendency of "many liberals" to "attach too much importance to a rather specific and narrow conception of argumentation and to neglect the value of other forms of expression" (1993 p. 14). This tendency can also be found among Muslim commentators, partly because of the orthodox prohibition of dramatic and visual representation, and perhaps partly because of the role of *fiqh* ('jurisprudence') as the central intellectual discipline in Islam.

Thus the character of the debate can be distorted when emphasis falls on literal meaning and verbal precision, while creative arts, or humour, the ability to shock or draw attention by exaggeration and mockery, are neglected as means of communication. It is not yet clear how the New South Wales legislation is working out in practice, but in principle at least it represents an attempt in law to move toward an engagement with the diversity of values that are at play in a culturally complex society.

2.13 Conclusion

In this chapter the competing claims of two interpreting communities have been described, and in this final section examined at the point where the free play of interpretation ends - in the need for practical judgement in law, a law which mediates between diverse and divided communities. On reflection, it may be argued that even in earnest efforts to seek justice for Muslims under the law in Britain the liberal conviction that traditional minorities will internally liberalise in the course of time is evident. Thus, even Lee, who supports Muslim demands for legal recognition, does so because of his perception of their vulnerability in British society, a situation which he envisages will change over time, rather than because of any engagement with the principles which Muslims may be upholding (1990 p. 127). This may be justified both as an inevitable consequence of the impact of Western social and economic forms of life, and as a moral imperative; often the two are not clearly distinguished. But what is the basis of this liberal insistence on internal liberalisation? Is 'when in Rome do as the Romans do' (except at the peripheries of culture -in sarees, samosas and steel bands) an adequate principle of justice in a plural society? In the next chapter we shall scrutinise liberal principles more closely.

Chapter 3: Liberalism, Cultural Diversity and the Public Arena

3.1 What is Liberalism?

[T]he problem of political liberalism is: how is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable religious, philosophical, and moral doctrines? (Rawls 1993 p. xxv)

Liberalism is an account of the manner in which diverse moral communities can co-exist within a single legal community (Galston 1991 p. 45)

These understandings of liberalism, the promises they hold and the problems they face, are the main topic of this chapter. The discussion will take place primarily at the level of political theory, neglecting for reasons of space a historical account of liberalism, although this will play a larger role when assessing MacIntyre's critique of it (Chapter 4). A point at issue among liberals is whether the "single legal community" referred to by Galston must itself be a moral community, which assumes some conception of the common good. As we saw in Chapter 1, advocates of liberalism have often wished to disassociate liberalism from any substantive conception of the good. However, before pursuing this question further it will be helpful to consider something of the range of current meanings given to the term 'liberalism'.

The term 'liberalism' is currently used in a variety of ways to indicate anything from a particular kind of political philosophy to a pervasive set of social attitudes co-extensive with modernity. These are not necessarily incompatible, since liberalism can be viewed as a political philosophy which has become embedded in the particular forms of culture, society and economic and political relations which constitute modernity. There has been an interactive relationship between liberalism and modernity, such that liberal thought can be seen as formative of modern societies, and modern economic and social developments have been formative of liberal thought. But liberalism is not co-extensive with modernity, a point highlighted by the example of Marxism, a modern rejection of liberal theory and practice. Yet the impact of its economic correlates of the free market and capitalism are felt almost everywhere. So far in the thesis its characteristics have been introduced *ad hoc*; in this section views of liberalism will be considered in a more systematic way, as a preliminary to exploring liberal responses to cultural and religious plurality.

In his book Liberalism (1986) John Gray argues that:

Whereas liberalism has no single unchanging nature or essence, its origins lie in a definite cultural and political circumstance and its background in the context of European individualism in the early modern period. (p. ix)

Gray finds a common, modern conception of humanity and society in all variants of liberal tradition, a conception which he describes as (i) individualist, (ii) egalitarian, (iii) universalist and (iv) meliorist (1986 p. x). Gray sees these as moral claims, (i) asserting the moral right of the individual against the collective, (ii) conferring equal moral status on all people, at least in the negative form of denying the relevance of moral worth to legal and political order, (iii) asserting the moral unity of the human species and the secondary significance of sources of difference, and (iv) insisting on the possibility of change and improvement in society's arrangements.

A tension is evident between Gray's location of liberalism in a specific historical setting and liberalism's universal claims. It is also significant that Gray sees these claims as primarily moral, while the development of liberal theory and statecraft in line with (ii) has been to emphasise liberalism's moral neutrality. These tensions are important in considering liberalism's response to forms of plurality which challenge its understandings of neutrality and universality.

Others have emphasised the contractual nature of liberalism, contracts being seen as the best way to reconcile the competing interests of individuals (McFadyen 1990 p. 303). Indeed, Barry goes so far as to see the minimalist account of human relations implied if a contract view predominates as the defining essence of liberalism:

The essence of liberalism as I am defining it here is the vision of society as made up of independent autonomous units who co-operate only when the terms of co-operation are such as to ... further the ends of each of the parties. Market relations are the paradigm of such co-operation. (Barry 1973 p. 166)

Under these conditions, the area of common good is inevitably eroded (McMylor 1994 p. 128). This has led to the accusation that liberalism, the philosophy of capitalism, in fact is parasitic upon the 'moral capital' accumulated by previous generations, which it does nothing to replenish. Thus Habermas argues:

Capitalist societies were always dependent on cultural boundary conditions that they could not themselves reproduce; they feed parasitically on the remains of tradition. (Habermas 1976 p. 76).

However, classical liberal theories presupposed a foundation of moral consensus, and were prepared to take steps to safeguard it when it appeared to be threatened (e.g. Locke in Galston 1991 pp. 259-263). Gray sees JS Mill as the turning point between classical and modern or revisionist liberalism. In a context in which the viability, universality and neutrality of liberalism have all come under threat, some liberal thinkers have dug back into liberal tradition and discovered a more realistic if less ambitious liberal project in liberalism's classical phase (e.g. Gray 1986, Galston 1991). But if religion is allowed a greater role here, in an inter-faith context

we should note that it is Christianity, or perhaps Deism, which was envisaged by these founding fathers. It is also striking that the rights bestowed upon humanity by the founding fathers were specifically bestowed upon men - even Gray speaks of "man and society" - and that a particular patriarchal household pattern was presumed alongside particular forms of religion. Furthermore, as Dorrien argues, in classical liberalism property rights are given priority over rights to democratic self-government (1990 p. 3). Thus a return to classical liberalism is by no means an unproblematic solution to problems of cultural diversity of for the liberal tradition.

Mention of Dorrien, a theologian, raises the issue of the use of the terms 'liberal' and 'liberalism' in theology. Dorrien in fact uses the terms in a similar sense to political theorists¹, but elsewhere in theology other usages prevail. 'Liberal' is often used by opponents to denote anything which attempts to accommodate revelation or tradition to contemporary modes of thought. Proponents may adopt a similar meaning with positive connotations, stressing the importance of communication in contemporary idioms. Liberalism indicates an open attitude to the spirit of the age, and since its present form was shaped in the late nineteenth century, this includes an optimistic account of human culture and progress, and an espousal of historical and scientific methods (Reardon in Coggins and Houlden eds. 1990 pp. 395-6). All this received a sharp rebuttal from Barth, whose faith in autonomous human culture was shattered by World War I, and whose designation of 'liberal' as naive accommodation sharply counterpoised to the judgement of the Word of God remains influential.

However, in this chapter 'liberal' is used to indicate a political philosophy rather than a theological position, although the latter will become relevant in Chapter 6. We now turn to consider the issue of liberal neutrality.

3.2 The Myth of Liberal Neutrality

The same freedom which has enabled Muslims to meet, march and protest against the book also preserves any author's right to freedom of expression for so long as no law is broken. To rule otherwise would be to chip away at the fundamental freedom on which our democracy is built. (Patten 1989 in CRE 1990a p. 86)

This extract comes from a letter from the then Minister of State at the Home Office, John Patten, to leading British Muslims on 4 July 1989. Underlying it is the liberal view that the ideal state places the minimum of restrictions on the political and economic choices of its citizens. For such a system to work, there must be confidence in the ability of the law to defend rights against

¹Dorrien identifies post Millian liberalism, with its prioritising of democratic rights over property rights as modern liberalism or 'postliberalism'; pre-Millian liberalism he calls 'classical liberalism'. In general it is the former sense which he denotes by the term 'liberal' (1990 p. 3).

interests, a confidence in turn dependent on some measure of agreement concerning the difference between the two. However, as we saw in the preceding chapter, such consensus cannot be taken for granted in the case of liberal and Muslim protagonists in The Satanic Verses controversy.

Nonetheless, Patten expresses here both the liberal self-assurance that liberalism is the best guarantor of freedom and toleration, and the liberal confidence in the ability of the liberal state to act as neutral arbiter between conflicting parties. Such a self-image plays a significant role in liberal self-understanding. However, the argument in this chapter will be that liberalism is not neutral, and would be better defended by offering a positive account of qualities and abilities prized by liberalism. Furthermore, liberalism's claim to be the best guarantor of freedom and toleration requires explanation and justification in a plural public arena, both because liberal values of freedom and tolerance are culturally specific constructs, and because liberal societies have far from unblemished records, even judged by their own criteria.

The view Patten reflects here has a long pedigree. As Stephen Lukes writes, the European nation state which in many ways became the political embodiment of liberalism, was created as a solution to religious conflict:

...liberalism was born out of religious conflict and the attempt to tame it by accommodating it within the nation state. The case for religious toleration was central to its development. (Lukes 1991 p. 17)

This founding myth is often repeated, and surely constitutes a major feature of the sacred landscape of liberalism. Mary Midgely tells the story:

For a long time, Catholics and Protestants shared the view that only one of their creeds could survive. This meant that one had to destroy the other, and they differed only on which one it should be. ... Certain people, however, such as Montaigne and Locke, saw a possibility of approaching the problem differently, so that this kind of question would not arise. They proposed finding a way to view this disagreement as a normal one, containable within the scope of a decent human life. Their work made it possible for toleration to be developed without the fearful sense of betrayal which it had seemed at first to involve. (Midgely 1989 p. 242)

Jeffrey Stout expands on this narrative by contrasting theological vocabularies with the new secular ones in terms of their ability to handle disputes concerning the common good:

Might it be that theology got into trouble with the intellectuals largely because it was unable to provide a vocabulary for debating and deciding matters pertaining to the common good without resort to violence? Could it be that the distinctive vocabularies of modern politics and ethics - the languages of human rights, of Benthamite utility, of respect for persons, and so on - owe their existence in part to a complicated history of attempts to minimise the unhappy consequences of religious conflict? (Stout 1988 p. 222)

These new secular vocabularies sought to overcome the divisiveness of religious vocabularies through the means of the universal human subject, the management of human interests through the mechanism of the market, and the discipline of the sovereign nation-state. However, for classical liberalism this did not imply the exclusion of religion from public life. Rather, at least in the British and American as opposed to French contexts, religion was seen as the foundation of personal morality, so that it is appropriate for the state to ensure that this foundation is maintained in good order. John Locke provides an example of this position.

In examining Locke's arguments for religious toleration, Galston finds that Locke was opposed to coercion in religion, but not to persuasive public discourse on religious matters, and certainly not on moral matters. Locke believed that while religious knowledge could only be verified eschatologically - no human court could decide - rational knowledge of morality was possible. For Locke toleration did not mean the inviolability of the individual conscience; civic peace was of paramount importance. On this Galston argues that:

conceptions of civic education and the social role of religion can be defined which are at once faithful to liberal principles and far more hospitable to moral and religious traditionalism than is the understanding that dominates contemporary liberal theory. (Galston 1991 p. 241)

We shall return to Galston's views on civic education at 8.2, and to his concept of liberalism as a tradition later in this chapter. But for now, it will be evident that the development of strictly secular discourses as a panacea for the ills of religious divisiveness is not without its critics, even within liberalism. Other criticisms include the argument that the extent to which "the distinctive vocabularies of modern politics and ethics" (Stout 1988 p. 222) have in fact enabled decisions on matters of the common good to be made without violence is highly questionable; violence may have been expelled from the bourgeois public sphere only to re-emerge at the colonial periphery and in the disciplinary activities of the state in restraining the lower classes (Giddens 1987 pp. 166-182). In a global context in which the vast majority of armed conflicts are now civil wars, the efficacy of the nation-state as a solution to religious and ethnic difference must also be called into question, although it must be admitted that the relationship between liberalism and the nation-state is not a straightforward one.

Criticisms of liberalism's universal subject have also been made: because this universal subject is anyone in general rather than someone in particular, two effects tend to follow. The first is that in theory it is not possible to accord particular features a primary place: this has meant that liberalism has traditionally neglected the role of cultural membership in developing its conceptions of the identity of the citizen, equality and justice. A more concrete reason for this could also be that cultural diversity has simply not been acknowledged. The second effect of a

supposed universal subject is that particular features favoured by dominant groups may be deliberately or unconsciously imported under the guise of universals, and because their partiality is not recognised, they become very difficult to challenge.

The relationship between the development of modern political and moral vocabularies and colonialism requires further consideration. The emergence of the language of universal human rights would seem at first sight to militate against the subordination of whole nations and groups of people. Yet, as Bhikhu Parekh argues, an underlying reason for the quest for universality may have been the development of liberal political theory as a legitimation for colonial practices. Where colonial expansion could no longer be legitimated on the grounds of converting the natives to Christianity, the view that European culture was the bearer of universal civilising values was substituted.

In support of his case, Parekh (1994a) has pointed to JS Mill's importance to the liberal tradition, and his employment with the East India company. Mill was so opposed to the colonial bureaucracy being made accountable to elected representatives, either in England or India, that he retired early rather than co-operate with the new system when the British government took over direct rule of India in 1858 (Parekh 1994a p. 11). Furthermore, Parekh argues that revisions of liberalism by Raz, Barry, Rawls and Dworkin substantially retain Millian form, and concludes:

Millian liberalism represents the British and European self-consciousness during the heyday of imperialism, and bears the deep imprint of an age in which the liberal way of thought exercised unchallenged political hegemony over its defeated rivals. Since the victims of history are now feeling confident enough to assert their cultural identity in a decolonised world, and since we now appreciate better than before that no way of life, including the liberal, represents the last word in human wisdom, liberalism cannot afford to remain trapped within the arrogant colonial mode of thought. (1994a p. 13)

However, Parekh's criticism rests on some overgeneralisation about liberalism's relation to the rights of cultural communities. Kymlicka (1989) has pointed out that recognition of such rights remained a feature of liberal theory up until World War II, when it was discredited by association with Nazi invocation of such rights as a pretext for the annexation of Austria and Czechoslovakia. In Mill's own case, his argument for liberty recognises the necessity of cultural communities as a context for the exercise of liberty.

Nonetheless, the presence of the descendants of the colonised within former colonial powers urges both a reassessment of the adequacy of supposedly universal values embodied in political and legal institutions and a reassessment of the history of those institutions and values. Indeed, cultural plurality is increasingly persuading liberal theorists to re-think their position, in relation

to minorities as diverse as North American indigenous peoples (Kymlicka 1989; Galston 1991) and British Muslims (Fitzmaurice 1993; Newey 1993).

3.3 Reassessing Liberalism: from Foundations to Autonomy.

Two possible factors may have led to this reassessment. The first is an open recognition that liberal positions, rather than being founded on universal principles, are in fact embedded in particular cultural traditions. But reassessment may also be driven by the fact that construed apart from European and American political interests, liberal arguments may be used against their historic advocates - as when Muslims invoke the right of freedom of religion against the right to free speech (Chapter 2). Alternative grounds may therefore become attractive to defend European and American political interests. Both of these factors may have contributed to an erosion of confidence in liberal neutrality.

Neutrality has been closely connected with liberalism's claim to provide the most tolerant political arrangements. In the introduction to his paper "How much cultural and religious pluralism can liberalism tolerate?" Jonathan Chaplin describes the liberal perception that liberalism will produce the most tolerant political arrangements:

Liberal pronouncements lead us to expect that liberalism will generally be more tolerant than any other theory. (Chaplin 1993 p. 32)

However, not surprisingly in view of the history and structural dangers of supposedly universal values, he suggests that contrary to this self-image:

certain important manifestations of cultural and religious pluralism would be undermined by the consistent application of a liberal policy. (Chaplin 1993 p. 32)

Thus Muslims and those provoked by racist responses to Muslim protests against The Satanic Verses are not the only people to question liberalism's self-image as the supreme guarantor of toleration. The collection in which Chaplin's paper appears (in Horton ed. 1993) contains several philosophically oriented contributions which question the relationship between liberalism and toleration. These papers, some of which reflect on The Satanic Verses controversy, some on education, while others are of a more general nature, indicate a growing awareness among academics of fault-lines within liberalism's self-understanding, particularly a scepticism of the view that intellectual or moral beliefs can be universally and rationally justified. In the absence of the discovery of such 'foundations', there has been a search for alternative means of securing and justifying claims about knowledge and morality (e.g. Stout 1988; Rorty 1989).

However, we shall retain our focus on liberalism's claim to be the best guarantor of tolerance, and the closely related claim to be able to provide a neutral space within which different conceptions of 'the good' can co-exist.

Tolerance can be initially defined as disapproval of something combined with restraint from attempts to stop it. Peter Gardner has suggested a more positive concept, pointing out a curious implication of the above kind of definition: the more things one dislikes and the more intensely one disapproves, the greater one's toleration! Instead, Gardner proposes separating the disapproving agent from the tolerating agent, so that it would only be necessary for something to be disapproved of by some members of a society, (and hence, I suggest, for disapproval to be publicly comprehensible or 'available'), for others in society to tolerate it (in Horton ed. 1993 pp. 83-103).

The claim to neutrality is centrally a claim to provide principles of justice independent of any particular conception of the good (Fitzmaurice 1993 pp. 55-56). Fitzmaurice describes the pressures under which Rawls, a major liberal theorist, has retreated from this claim put forward in his A Theory of Justice (1973). In his original argument, Rawls uses the device of a "Veil of Ignorance" behind which one is stripped of knowledge both of particular conceptions of the good and of one's abilities and social location. From this "Original Position" the arrangements one chooses for society are held to be just, because particular interests are excluded.

Yet far from being neutral, the "Original Position" presupposes a particular kind of individual, one who views society instrumentally, as means to whatever ends he or she, as an individual, may happen to seek. The reason for not knowing one's social location dissolves if, instead, one has a conception of the common good which overrides self-interest, or conceives of self differently to the Western individualist sense. For example, one may choose a rigid, hierarchical society whatever one's position in it, if one believes that one's place in the world is determined by actions in a previous life, and thus represents one's dharma.²

This objection, however, imports a feature which Rawls' construct attempts to exclude: particular conceptions of the good. One may ask what one is left to decide with when such conceptions are excluded. Rawls holds that there are some general or "primary goods" on the basis of which choices are to be made. These are:

goods which it is supposedly rational to want whatever one wants, because they provide the instrumentally necessary conditions for the achievement of any determinate conception of the good whatsoever, and are equally useful in the pursuit of all. (Fitzmaurice 1993 p. 55)

²Hindu/Buddhist conception of 'cosmic duty' or 'right path'.

In other words, a primary good is something which it can be presupposed that all people will need or want.

Examples of primary goods include freedom of action and equality of opportunity. However, as my objection to the "Original Position" and "Veil of Ignorance" suggests, there is no reason to suppose that these conditions are universally desirable. As Nagel has argued, such goods are not equally useful for the realisation of all particular conceptions of the good (Nagel 1978). In particular, traditional, religiously-based societies may find that such 'goods' erode their sense of the common good; for example, increased social mobility and economic opportunity may be seen to weaken extended family structures. The rationality presupposed by Rawls' theory is manifestly that of a particular economic system and culture, a product of the threat of unbridled capitalism to public order.

In the face of these kinds of criticisms Rawls has altered his justification of primary goods. As Fitzmaurice argues:

He now acknowledges that the goodness of the primary goods derives not from their constituting the universal means to desire fulfilment, but from the fact that they provide the conditions under which the individual may form a conception of the good independently. (Fitzmaurice 1993 p. 56)

In other words for Rawls the ability to choose one's conception of the good is the highest good; autonomy is the most highly valued virtue in Rawls' scheme. Conversely, any system in which a conception of the good is substantially provided, or revealed, is excluded. Rawls' justification has shifted its grounds from a universal conception of the means to desire fulfilment to the value of autonomy in modern societies. Rawls accepts that this valuing of autonomy above other goods is particular to Western societies (1993), but doesn't consider the difficulties this may present for minorities within those societies who do not share this cultural background. Thus these new grounds may prove problematic in a multicultural setting.

Rawls does not consider cultural membership to be a primary good. This denial of the status of primary good to cultural membership takes place in spite of his endorsement of Mill's argument for liberty, which accepts that we are reliant on cultural structure for personal development (Rawls 1973 pp. 208-9). Why then the reluctance to recognise the importance of belonging to a particular culture if one is to be able to form any determinate conception of the good? Possibly because liberalism, like other guises of modernity, has sought to found public life on universal principles, generating a reluctance to recognise anything contingent, including cultural membership, as of fundamental importance. But also simply because liberal theory has tended not

to recognise significant cultural diversity, particularly that which does not conveniently fall into the discrete categories of public and private. Even Rawls' latest theory, which recognises a diversity of reasonable but incompatible "comprehensive doctrines" does not consider the relationship between such doctrines and economic and social forms of life.

3.4 Interrogating the Liberal Virtue of Autonomy.

We have seen that between A Theory of Justice (1973) and Political Liberalism (1993) Rawls shifted the foundation for legitimating liberal arrangements from supposedly universal means to desire fulfilment (primary goods) to the value of autonomy in Western societies. A similar move has been made by other liberal theorists; Chaplin (in Horton ed. 1993 pp. 32-49) considers the arguments developed by Nozick, Kymlicka and Raz.

Nozick (1974) proposes a kind of diverse voluntaristic utopia, in which all kinds of ways of life co-exist, including communities in which people are constrained and treated unequally, so long as people enter into such communities voluntarily, and communities do not constrain others outside the group. Yet questions arise as to the kind of social conditions which are required to produce people able to choose voluntarily which communities to enter. Moreover, the exercise of choice in society may have less to do with educational virtue than economic relations, and capitalist systems may be profoundly corrosive of certain traditional lifestyles. However, Chaplin focuses his criticism at the cognitive level, arguing that an education which produces an autonomous individual may be inimical to the sustenance of certain kinds of community. Thus Chaplin writes:

Surrounded by myriad distracting alternatives and operating in a climate thoroughly permeated by a spirit of voluntaristic individualism, how could a Muslim or a communist or a Gandhian community survive? (in Horton ed. 1993, p. 37)

There is also an underlying and contestable assumption that some kind of neutral perspective from which such a judgement can be made is available. But as Chaplin argues, "voluntaristic individualism" is a better name for this perspective than "neutrality"; the market as a model for life. Again, the cultural prizing of the kind of autonomy which is a pre-requisite for effective market relations is the bottom line of the argument.

Unlike Nozick, Kymlicka (1989)³ is sensitive to the relationship between social context and the kind of choices which people are able to make. Hence he includes cultural membership as a primary good (1989, pp. 162-181). However, there is an ambivalence in his valuing of minority cultures. On the one hand, his recognition of power imbalances between majority and minority

³ This chapter does not take account of Kymlicka's revised position presented in Multicultural Citizenship (1995), as this was unavailable at the time of writing.

cultures means that special rights are needed for minorities. Thus he moves beyond the crude individualism of some liberalism, from a negative neutrality (no particular culture is favoured), to a positive neutrality (intervention to ensure that minorities are not subordinated). However, within minority cultures the same rules are held to apply; minorities must treat their own members according to liberal principles. There is thus an assimilationist assumption in Kymlicka's position, an expectation that minorities will, in the course of living in liberal culture, internally liberalise themselves. This may be sociologically plausible - though Kymlicka himself rejects a crude secularisation thesis - but the question here is whether this assumption should be built into a theory of justice. Should minorities be expected to internally liberalise? Chaplin comments:

Cultural communities may preserve their distinctiveness, but only within the limits determined by liberalism. ... He seems to assume (*contra* Raz) that a community can be liberalised without essentially changing its particular character, but he can do so only by assuming that liberalism has no particular character of its own. (in Horton 1993 pp. 45-6)

Thus, according to Chaplin, a form of the fiction of liberal neutrality is retained by Kymlicka. By contrast, Joseph Raz (1986) concedes the distinctive character of liberalism, and thus abandons any claim to neutrality. However, Raz does not concede that this leaves liberalism in a simple stalemate with alternative cultures; instead he advocates the moral superiority of liberalism. The locus of this superiority is the value placed in Western societies on autonomy, the ability to choose one's conception of the good. Here Raz's argument dovetails with that of Fitzmaurice. For both, and as we have seen, also for the later Rawls, autonomy is the defining good of liberal theory. Thus Fitzmaurice argues:

The ideal of autonomy is indeed one of our dominant cultural ideals. But I want to make a stronger claim than this on behalf of the value of autonomy, and to argue that it is a condition of life's being good that it could be reflectively affirmed by the person leading it. (1993 p. 59)

Fitzmaurice understands autonomy as the ability to affirm reflectively one's own way of life. Autonomy, then, depends not just on choice, but on rational exercise of choice. Rationality and choice here need to be clearly distinguished. In many defences of liberalism what is valued about autonomy is that it enables the rational exercise of choice. Yet what may be found in the Western societies is the presence of choice without the exercise of rational discernment, either because of information overload or difficulty in relating the competing demands of different areas of life to one another. By contrast in traditional societies choice is more constrained, but its limited exercise may be more rationally undertaken, in the sense of being made within a framework of reasoning which makes sense of life as a whole. It may be that there is a relationship between the increase in choice and the growing inability to make rational or moral sense of that choice; the conditions of consumer capitalism which produce relatively unconstrained choice make meaningful decisions (rational exercise of choice) increasingly problematic, while a telos

embodying tradition constrains choice but preserves meaning, enabling rational choice.⁴

At stake here is the nature of rationality, which is understood quite differently in, say, anthropology and most traditions of Western philosophy.⁵ Anthropologists see rationality as consisting of any mode of thought which enables people to make sense of their context, prompting the following response from the sociologist Bryan Turner:

Ernest Gellner ... has argued that functionalist interpretation of other people's beliefs results in contextual charity which 'absolves too many people of the charge of systematically illogical or false or self-deceptive thought' In contemporary anthropology, it is as a result difficult to know what would count as prelogical thought. (in Turner ed. 1993 p. 171)

In philosophy, the ability of the individual to follow and develop a chain of reasoning through inference and assessment of evidence is likely to be seen as central. What sense can be made of such diverse perspectives? As we shall see below (4.1, 4.4), while upholding a universal sense of logic, Alasdair MacIntyre distinguishes between diverse forms of rationality. He therefore criticises an individualist approach as solipsistic and ultimately irrational, if it is not recognised that the exercise of logical powers takes place within some wider context of shared meaning. If action is not oriented within some larger purposive framework, some teleology, then it is ultimately random and arbitrary. Similarly, Habermas criticises the overgrowth of instrumental reason unbounded by communicative reason; without the latter the former is ultimately irrational (above 1.10, below, 3.6). Bauman (1989) does not share MacIntyre's faith in tradition or Habermas' in communicative reason; instead reason itself is the danger if unrestrained by moral instinct (above 1.13).

For Fitzmaurice, rationality does not depend upon a person *actually* affirming their way of life after critical reflection. Thus, in her understanding of autonomy it is only necessary that, were a person to reflect in this way, they would then arrive at such an affirmation:

She may have become settled quite fortuitously in a way of life which just suits her. I accept this is a rationally good life. ... However, it is the possession of the capacity, not the fact of its exercise that is a necessary condition of a rationally good life. (1993 p. 60)

So a person must be capable of rational reflection (even if this capacity is not exercised) to qualify as autonomous; presumably rational reflection must be evident in some area of their life, even if not directed at the whole of it. But what counts as rational reflection? Given the range of meanings available, how much is necessary, and indeed, how much is possible? As we saw in MacIntyre's critique of Hume (1.10), it is impossible, indeed mentally unbalancing to try, to strip

⁴This argument will be further considered in relation to the work of MacIntyre (especially 1985, 1988) at 4.4 below.

⁵Rationality and its relation to culture and logic will be discussed further in Chapter 4 below.

away every aspect of one's background to arrive at the pure cogito, or reasoning self devoid of cultural accretions. We can only build on pre-understanding, not on nothing. Yet this is not to deny the necessity for some degree of rational reflection; on MacIntyre's account questioning some aspects of life is possible, and, indeed, desirable. MacIntyre's way of holding the needs for criticism and continuity together is to see critical questioning as part of the life of traditions, indeed germane to their health:

Traditions, when vital, embody continuities of conflict. ... A living tradition then is an historically extended socially embodied argument, and an argument precisely in part about which goods constitute that tradition. (1985 p. 222)

In fact, Fitzmaurice admits that both her understanding of autonomy, and the concept of rationality which underpins it, are culturally specific:

talk of rationality is never innocent. ... What I have been defending as the conditions of autonomy are in fact the conditions of modern autonomy, where what it is to rationally reflect on the best life for oneself is reflectively to compare a number of different ways of life, ... treating custom and tradition as just so much grist to the mill of the reflective individual's reasoning. But what counts as reasoning about the good life is culturally variable. (1993 p. 62)

Thus both Fitzmaurice and Raz accept the cultural specificity of liberal concepts of rationality, and hence the derivative virtue of autonomy, which becomes the justification for liberal claims to tolerance. How, then, do they go on to justify their view of the superiority of liberalism, of prizing autonomy above heteronomy? For Raz, it seems to be primarily a matter of social Darwinism; autonomy best enables individuals to survive in modern societies:

For those who live in an autonomy supporting environment there is no choice but to be autonomous: there is no other way to prosper in such a society. (1986, p. 391)

There is surely a heavy irony in this statement, which can be paraphrased: 'you have no choice but to value choice'. Here, a connection may be made with the earlier suggestion (2.6) that Muslim anger at the Panorama documentary "A New Underclass" may be due to the implication that Muslim maintenance of traditional values and culture is impeding their economic progress. As indicated above, I believe that the evidence is too ambiguous to support this suggestion, and that the PSI and Panorama team were led by their presuppositions to dismiss prejudice as a possible explanation for Muslim relative deprivation too quickly. Furthermore, there are less ambiguous refutations of Raz's assumed connection between the Western concept of autonomy and economic success. Japan and other East Asian countries surely provide plenty of counter-evidence to the thesis that a high value placed on autonomy is a pre-requisite for success in late capitalist systems. In Japan heteronomy and economic prowess combine; technological innovation and entrepreneurial flair do not seem to be tied to the prizing of individual choice and inviolability

the way that Raz, in his North American context, seems to assume:

communities whose culture does not support autonomy ... immigrant communities, indigenous peoples, religious sects [in so far as] they insist on bringing up their children in their own way ... are harming them. (1986 p. 423)

Yet in Chapter 1 (1.12) we saw Habermas' argument that the bourgeois public sphere, the birthplace of the modern autonomous individual - that is, one who subscribes to the ideal of unconstrained dialogue without regard for power or privilege, the outcome of which is decided by reason alone - owed these attributes to the historical development of capitalism. The conditions under which these ideals came to be articulated was one phase in the development of capitalism, which soon passed. Furthermore, it produced an ideal only ever partially embodied in reality, and ideal which rested on the ideological obfuscation of the man of means with humanity in general (Habermas 1989).

In contrast to Raz, Fitzmaurice focuses on the cognitive rather than economic consequences of cultural diversity. She argues that simple ethical monism, (one unargued version of the good), heteronomously sustained (supported by the community rather than individually reasoned out) amounts to a refusal to face the reality of pluralism. However, once a member of a heteronomously defined group, or traditional minority, begins to understand the questions which members of the majority culture ask, and to engage in debate with them, she has already begun to satisfy the conditions of autonomy as defined by Fitzmaurice. Autonomy does not necessitate the abandoning of traditional forms of life, but only traditional legitimising of them, replaced by engagement in new, reflective forms of legitimisation. Hence she writes:

Once she [a member of a traditional minority] is actually facing an intelligible challenge to her way of life from a member of another culture, she already inhabits a world in which, if not all gods and demons, at least the minor deities and devils, are at war. If more than one mode of life is customary, and many authorities extant, then reference to 'custom' or authority' cannot justify a particular mode of life. One has to give reasons for treating *these* customs or *this* authority as binding, and this is necessarily to engage with the substance of what they commend or prescribe. (1993 p. 66)

She borrows MacIntyre's terminology to describe the challenge with which heteronomous traditions are confronted: the "epistemological crisis" (MacIntyre 1977, 1988: see below 4.5). The conceptual resources of such traditions no longer enable them to make sense of the world around them. Ethical "monism" (one version of the good) cannot make sense of cultural diversity (1993 p. 65).

However, there are difficulties with the contrast Raz and Fitzmaurice make between Western and traditional cultures; they seem to contrast a rather idealised account of legitimisation in Western

societies with the practices of traditional cultures. Both give the impression that in Western societies everyone other than members of traditional minorities engage in the kind of reflective self-justification which they call autonomy. It is the inability of minorities to do so which allegedly prevents them from prospering economically (Raz) or cognitively (Fitzmaurice), and which also accounts for their failure to tolerate others. But are most practices in Western societies justified, or justifiable, by their practitioners? How widespread is autonomy in the sense employed by these philosophers?

Is it not, as I suggested above, that Westerners may value and exercise choice, but only a small minority ever engage in much rational exercise of it in any fundamental sense? It seems that we are confronted here with at least some wishful thinking; for reasons already suggested it seems unlikely that most people's lives are so rationally or autonomously constructed. Further evidence comes from Bellah's study of contemporary American morality.⁶

Bellah et al's (1985) study of the moral reasoning of middle Americans discovered that their interviewees were swiftly reduced to silence by the Socratic interrogation of a sociologist, so the investigators concluded that their subjects' moral reasoning was shallow. Yet as Stout (1988) argues, Bellah's findings may not witness so much the moral incoherence of his subjects as the failure of the investigators to grasp the structure of practical moral reasoning. Stout argues that such reasoning has more the shape of a web connecting the multiple settings in which individuals live their lives, rather than the foundational structure of an autonomous, reflexive subject presupposed by a string of 'why?' questions.

Bellah's findings and Stout's comments support the suggestion that autonomy in the sense generally accepted by philosophers is far more rarely exercised in liberal democracies than Raz and Fitzmaurice appear to presume. In further support, we may recall D'Costa's remarks on "secular fundamentalism" and the other evidence gathered in Chapter 2, ranging from the methodology of the study of 'race' to Asad's exploration of the mythic foundations of liberalism in responses to book-burning, which all testify to the limitations of reflexive self-questioning in liberal societies. This is not to suggest a simple lack of thought, but rather that deeply rooted preconceptions determine the channels along which thought flows. In this context the cherished value of autonomy, in so far as it neglects and even helps to conceal such preconceptions by promoting a myth of neutrality, can a vehicle for the assertion of cultural bigotry.

Thus both popular and intellectual arguments witness to a powerful belief in the superiority of

⁶ Bellah's account of the incoherence of contemporary moral discourse provides empirical support for MacIntyre's argument in *After Virtue* (see chapter 4 below).

liberal society justified by a kind of social Darwinism. This is best understood not only as supported by rational argument or appeal to evidence, but also as driven by the needs of liberal societies in response to their particular histories. The conditions of autonomy as defined by Raz and Fitzmaurice are therefore rarely, if ever, fulfilled in practice. Indeed, as we have seen (1.10, and further below, 4.4) MacIntyre argues that such conditions are in fact impossible to meet, and traces the pressure to meet them to elements introduced into Western tradition by Descartes and Hume, elements which have led to the damaging consequences of insupportable foundationalist projects, and relativist despair or irresponsibility.

So, in place of autonomy we find an alternative tradition which denies its traditionality; a liberal tradition, or perhaps even "secular fundamentalism", which sometimes seems to justify this tag through its intolerance to challenges to its authority. Traditional cultures, it asserts, hold back development; one way or another they must perish. What are the implications of this evidence for Raz and Fitzmaurice's defence of liberal superiority in terms of autonomy? Clearly, much as it might be prized, evidence for the practice of autonomy as "reflective determination by the individual of how best to instantiate her fundamental goals and values" (Fitzmaurice 1993 p. 68) in Western societies is distinctly lacking in practice, at least in so far as autonomy is understood in the traditional philosophical sense of proceeding from fundamental premises by rational argument. Indeed if MacIntyre is correct, such a procedure is practically impossible. Certainly, at this stage, we can claim that it is not co-extensive with liberal democracies. What, then, is left for autonomy?

At the end of her paper Fitzmaurice recognises that as a procedural virtue autonomy is in itself insufficient for a good life, and that:

The individual who critically reflects must start from a pre-reflective set of goals and values, and must be able, on reflection, to settle on a set of goals sufficient to make up a life with continuous character. *To be autonomous is not to be free-floating, but always to be engaged in a kind of dialectic between reflectiveness and embeddedness.* (1993 p. 68, emphasis added)

What is the impact of this admission on her argument for toleration based on the value of autonomy? If it is recognised that traditional, heteronomous knowledge is in fact a precondition of the exercise of autonomy, and that autonomous knowledge is always embedded in a heteronomous base, then we see that the contrasts between autonomy and heteronomy have been overdrawn. Instead, it seems that conditions which favour a balance between the ideal abstractions of heteronomy and autonomy, between trust and suspicion, respect and scepticism, better describe the optimum conditions for learning and making educated choices; in other words, for a mature autonomy.

Thus, whereas autonomy is often understood as independence from particular ties, Fitzmaurice now concedes that it is, in fact, dependent upon them; she argues that a notion of autonomy which refuses to recognise cultural context is in fact untenable. Autonomy, understood as a capacity for living independently and acting freely based on an ability to think critically and establish one's own conclusions, depends not on isolation from one's community or disregard of normative values, but rather on a skilful understanding of and attachment to other people and to one's context. Hence autonomy, like rationality for MacIntyre, is contingent upon a particular substantive tradition and cannot exist independently of tradition; autonomy is a procedural virtue.

The notion that critical reflection is always already embedded in cultural tradition is central to MacIntyre's thought, together with an account of the relationship between critical reflection, tradition and social and material context. MacIntyre additionally stresses the role of narrative in constituting 'embeddedness', when he writes:

We enter human society with one or more imputed characters - roles into which we have been drafted - and we have to learn what they are in order to be able to understand how others respond to us and how our responses to them are apt to be construed. ... Deprive children of stories and you leave them unscripted, anxious stutterers in their actions as in their words. (1985 p. 216)

Fitzmaurice's recognition of the importance of cultural identity in sustaining autonomy, can, together with these insights, be used to reformulate the liberal virtue of autonomy. Autonomy can be defined as an embeddedness-reflectiveness dialectic, in which the ability to choose intelligently is seen to be always contingent on an established stock of meanings. The question of whether this is appropriately seen as a liberal understanding, or is better viewed as a description of traditioned reason, is one which shall be taken up in the discussion of MacIntyre in Chapter 4. But in this context the important conclusion is that the continual undermining of established cultural meanings comes to be seen not as progress towards enlightenment, but rather as destructive of the very possibility of new learning.

Further to the argument in Chapter 2, this understanding has relevance for the discussion of free speech in The Satanic Verses controversy. It can be seen that publications which undermine a community's sense of identity may damage rather than promote that community's ability to adapt to new situations, and also opens up for exploration, alongside traditional minority values, the contingent values of liberalism.

From this understanding of autonomy a case can be made for protecting and supporting minority cultures, not simply for reasons internal to their traditions, but actually because the goal of

education is to produce autonomous individuals, because to develop autonomy one first needs 'cultural embedding'. If it is accepted then arguments concerning censorship become essentially contestable. In this account of autonomy, publication of material offensive to minority cultures cannot be justified by a knee jerk reference to freedom of speech, but only by engagement in explanation and justification of the goods which are being defended, which are to be weighed against those under attack - particularly the costs to minority groups of cultural corrosion. We now consider further the roles of cultural embeddedness and the problem of 'recognition' in liberal societies.

3.5 Cultural Embeddedness and Recognition in Liberal Societies

Many minority groups want to see their particular identities recognised more fully by the societies in which they live. This is perceived both as a matter of justice, demanding equal recognition for cultural groups, and of survival; a devalued culture may wither and die. Such demands involve a complex of arguments, and clash with another view of equality, which would see recognition of differences as discriminatory. We now turn to these issues, and particularly to Charles Taylor's work on the "politics of recognition" (1992), considering it in relation to the MacIntyre-based narrative conception of identity developed thus far.

Taylor seeks to understand how 'recognition' came to be such a significant demand in the multicultural politics of his native Canada, and how it can best be achieved to the satisfaction of all involved. He identifies the underlying idea behind such demands as:

The thesis ... that our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a demeaning or contemptible picture of themselves. (Taylor in Taylor with Gutmann eds. 1994⁷ p. 25)

Taylor traces the origins of this conception of recognition to the breakdown of hierarchical relationships with the advent of modernity (see Chapter 1, especially 1.12). He argues that there are two traditions of equal respect stemming from the Enlightenment, one associated with Rousseau and emphasising a cohesive society as the context for equality; the other associated with Kant, stressing the rational capacity of the individual, which is held to be universal. Both have difficulty in recognising difference. Rousseau's account is seen to place such emphasis on the collective will and the absence of differentiated roles that it precludes recognition of cultural differences (Taylor 1994 pp. 48-51). Ironically Rousseau is also seen to have contributed to the rise of demands for recognition, by his transformation of the concept of conscience from inner

⁷Henceforth, 'Taylor 1994'.

access to standards of right and wrong to access to inner feelings as an end in itself, in his notion of "le sentiment de l'existence" (Taylor 1994 p. 29 note 5).

Taylor thinks that some interpretations of the Kantian tradition of equal respect, based on the recognition of universal capacities, do permit only a "very restricted acknowledgement of distinct cultural identities" (1994 p. 52). But he argues that other interpretations are possible, and illustrates his case using recent Canadian constitutional debates. One example from this context is the clash of interpretations of the 1982 Canadian Charter of Rights in relation to Quebec, which was recognised by the Meech Lake amendment as a "distinct society". This enabled the Quebecers to pass legislation designed to preserve the French language, for example restricting access to Anglophone schools, and insisting on the use of French in businesses above a certain size, and on French commercial signage.

For many Anglophone Canadians this legislation conflicted with the individual rights and anti-discrimination measures in the 1982 Charter. Taylor locates their argument in a tradition which emphasises state neutrality on questions of the good: "a liberal society cannot accommodate publicly espoused notions of the good" (Taylor 1994 p. 58). Taylor gives Dworkin's distinction between a procedural commitment to equal respect and a substantive view about the ends of life as an example of this view; we have discussed others above. Taylor considers that such an interpretation of the Kantian tradition cannot provide much room for recognition of difference. But, he argues, the Quebecers who espoused the collective good of preserving French culture can also make a case from within the liberal tradition.

Such a model allows that a particular good may become a matter of public policy if the nature of the good requires that it be sought in common. The preservation and renewal of cultural traditions in Western societies may be seen as such goods. In this context the defining characteristic of a liberal society is how it treats its minorities; does it accord to them the fundamental rights enshrined in the liberal tradition, "rights to life, liberty, due process, free speech, free practice of religion and so on" (1992 p. 59). In recent times, the list of 'liberties' has been greatly expanded by the process of constitutional review. Taylor's model depends on a distinction between fundamental liberties and those which are important but revocable if public policy provides an adequate reason for doing so. In the case in question the 'adequate reason' is cultural survival:

They [i.e. forms of liberalism which recognise collective goals] are willing to weigh the importance of certain forms of uniform treatment against the importance of cultural survival, and sometimes opt in favour of the latter. (Taylor 1994 p. 61)

If such a position puts limits on the goods of liberalism, represented by limiting the expansion areas of uniformity and liberty created by constitutional review, then so too are other goods limited by the need to sustain a liberal polity. As Galston, who presents an argument with many similarities to Taylor's, writes:

In the very act of sustaining diversity, liberal unity circumscribes diversity. It could not be otherwise. (Galston 1991 p. 4)

What are the implications of this form of liberalism for The Satanic Verses controversy? Taylor seems to suggest that liberal diversity cannot include Islamic views on the relation between politics and religion (1994 p. 62). But he does not consider how Muslim appeals expressed in terms of the politics of recognition should be viewed within the framework that he has developed. The situation of the Quebeckers differs from British Muslims in several respects. The latter do not constitute a majority in any significant political unit, and therefore are not in a position to legislate. The latter are also a religious group rather than simply a cultural group. Yet for both groups the issue of survival of a way of life is felt to be at stake by some within each community.

In specific terms, should certain forms of insults against or portrayal of Islam be prohibited on the grounds of 'recognition', that is because the public reputation and self-image of a minority group may be damaged? Casting the net wider, does the issue of survival provide a legitimisation for Muslim schools? After all, a presupposition of liberalism as defined above⁸ is that liberal societies can provide circumstances in which such communities can prosper, not become extinct or be driven underground.

The merit of a scheme like Taylor's or Galston's is that by removing the myth of liberal neutrality and (in Galston's case) providing an account of liberal virtues, they create a position from which liberals can enter into negotiation with non-liberals from the perspective that both of them have a territory to defend. Paradoxically, this may enable Muslims and liberals to come closer to a shared view of controversial situations. For example, Taylor writes:

as many Muslims are well aware, Western liberalism is not so much an expression of a secular, post religious outlook that happens to be popular among Western intellectuals as a more organic outgrowth of Christianity - at least as seen from the alternative vantage point of Islam. The division of church and state goes back to the earliest days of Christian civilisation. The early forms of separation were very different from ours, but the basis was laid for modern developments. The very term *secular* was originally part of the Christian vocabulary. (Taylor 1994 p. 62)

Here Taylor is able to come to an appreciation of Muslim objections to liberal claims to

⁸i.e. as "an account of the manner in which diverse moral communities can co-exist within a single legal community" (Galston 1991 p. 45).

neutrality. In doing so he is exercising what MacIntyre considers to be a virtue: a sense of one's own tradition. MacIntyre insists this is not to be confused with "conservative antiquarianism":

It is rather the case that an adequate sense of tradition manifests itself in a grasp of those future possibilities which the past has made available to the present. Living traditions, just because they continue a not-yet-completed narrative, confront a future whose determinate and determinable character, in so far as it possesses any, derives from the past. (1985 p. 223)

It is from the exercise and development of this kind of virtue, a virtue which can be shared both by Galston and Taylor's versions of liberalism and at least some parts of Islamic tradition, that a mutual understanding which can form the basis of shared arrangements can develop. However, this virtue involves not just a threat to liberal pretensions to neutrality, but also to fundamentalist versions of Islam which hold that it is possible to reproduce the life of the first Medinan ummah (community) without reference to intervening history. Such a return to roots without a sense of tradition betrays its modernity, in so far as modernity's social projects have attempted to proceed from universal foundations to universal ends, bypassing historical contingency.

For MacIntyre this historical amnesia is both dangerous and destructive. It is a symptom of a culture in which moral life has become disembedded from social life, it is the source of a loss of coherence in moral life, and is destructive of a proper sense of moral responsibility. He attacks modern individualism in the following terms:

From the standpoint of modern individualism I am what I choose to be. I can always, if I wish to, put in question what are taken to be merely contingent features of my social existence. ... I may be legally a citizen of a certain country; but I cannot be held responsible for what my country does or has done unless I choose implicitly or explicitly to assume such a responsibility. Such individualism is expressed by those modern Americans who deny any responsibility for the effects of slavery upon black Americans, saying 'I never owned any slaves'. ... the Englishman who says '*I* never did any wrong in Ireland; why bring up that old history as though it had something to do with *me*?' or the young German who believes that being born after 1945 means that what Nazis did to Jews has no moral relevance to his relationship to his Jewish contemporaries, exhibit the same attitude, ... according to which the self is detachable from its social and historical roles and statuses. (1985 pp. 220-1)

MacIntyre's argument is not simply that we should learn the lessons of history - as if history was something we could detach ourselves from - but rather, more radically, that every aspect of our being is shaped by the history of our tradition. In a way this may seem obvious, and yet in an age in which rapid technological change means that the knowledge of our parents or grandparents seems of no more use than nostalgia, it runs deeply against the grain. Technological change is only one of a mass of reasons why this is so; 'modern individualism' is another, changing child rearing patterns, where children grow up apart from their grandparents, is another. The point is that without this sense of being part of an unfolding, formed but not yet determined history,

liberalism has little chance of being able to comprehend, let alone recognise, the claims of traditional minority groups in so far as these are articulated in terms of their own traditions.

At 3.2 we considered John Patten's claim that Rushdie's freedom of expression and Muslim freedom to protest must both be permitted to maintain freedom and democracy. This argument rests on the claim of the liberal state to arbitrate neutrally between different conceptions of the good. Yet on closer inspection liberal theorists proved unable to justify this claim to neutrality, turning instead to a claim for the moral superiority of liberalism based on the notion of autonomy. This notion also turned out to be culturally specific, and to embody the experience of Western history, a history in which competing religious convictions have caused so much bloodshed. Thus it has been seen that the development of the virtue of autonomy sprang from European attempts to deal with Christian pluralism, and in so far as it brings the wisdom of this experience to bear on contemporary pluralism, autonomy merits consideration. More compellingly, however, from the standpoint of traditional minorities coming to terms with living in western cultures, autonomy reflects the social and economic conditions of the West, and is present in powerful discourses to the extent that justifications in other terms are unlikely to get much of a hearing.

There are therefore strong reasons for traditional minorities to come to terms with Western prizing of autonomy. Yet images of autonomy as a kind of Cartesian detachment are misleading. Common western discourse turns out to lack the reflective self-justification prized by philosophers. Reason, rather, comes embedded in cultural forms, and autonomy is more accurately viewed as dialectic between reflection and embeddedness; autonomy is always contingent on heteronomy. Unbridled cultural and religious iconoclasm therefore cannot be justified by appeals to autonomy.

A new conception of autonomy as a reflectiveness-embeddedness dialectic can be developed using MacIntyre's idea of narrative identity. However, the crisis precipitated in social sciences by recognition that the old concept of autonomy is unsustainable has led to a rift between practitioners in this field who abandon legislative claims,⁹ and political theorists who remain tied to making such claims. This rift means that while traditional minorities can make a good claim within western discourse for a modified conception of autonomy, conditions for its reception

⁹On the abandonment of legislative claims by social scientists Bauman writes:

If the legislative role is retained by the new vision, it is confined to intra-communal territory always acutely aware of the limits of its application ... either the very possibility of extra-territorial claims is denied, or the impotence of reason in the face of power-supported tradition is recognised; in both cases the effort to invalidate alternative forms of life, positive ideologies, cultures etc. as erroneous, biased or otherwise inferior has been all but abandoned. (1992 p. 19)

By contrast MacIntyre argues that such judgements continue to be made tacitly, and that there are grounds for making such judgements (1971p. 244-259; and below Chapter 4).

appear unpromising. Nor is such inter-disciplinary division the only obstacle facing the advocacy of this reconceived autonomy. We have seen that for Fitzmaurice traditional minorities begin to satisfy conditions of autonomy when they enter debate, specifically reflexive self-justification, with Westerners. This justification of Islamic practices using the terms of liberal discourse has, as we have already seen, been practised by Muslims who have sought to justify their case against The Satanic Verses in terms of freedom of religion, equality before the law, and, drawing on liberalism's Christian roots, blasphemy. In more sophisticated form it is practised by intellectuals such as Akhtar and Mernissi, as we saw briefly in Chapters 1 and 2, and shall see again in Chapter 5 below. There is a methodological parallel between these practices and those of post-colonial writers, both using Western discourses to legitimate the claims of minority or subordinate groups in global society.

However, an open question remains as to how far traditional minorities can adopt modern (and, in the West and increasingly across the world, at least among the economically successful, liberal) discursive practices without compromising their integrity, or corroding their traditionality. We have seen that autonomy is a culturally specific virtue, and reflexive self-justification is a practice associated with a particular modern form of society. How far, then, can traditional minorities adopt this practice without threatening the integrity of their culture? Can such minorities pick and choose from the West, even something so pervasive as a form of rationality, and retain essential elements of their cultural complex? Or will their religion and culture become just window dressing for an essentially Western product?

Implicit in many liberal claims, whether Raz's "no other way to prosper" or Fitzmaurice's appropriation of MacIntyre's epistemological crisis, is the claim that the way of life which sustains the value of autonomy is corrosive of heteronomy. In this situation minority (I mean subordinate) cultures must adapt to the dominant mode of life, including adopting its mode of reasoning, or perish. We have seen that exaggerated contrasts between heteronomy and autonomy undergird such claims, at least in part, but the challenge, if less dogmatically asserted, remains; what kind of accommodation can traditional or religious beliefs afford to make with modernity?

One kind of answer to this question would be to argue that a particular kind of highly reflexive rationality is specific to modern societies, and is highly corrosive of traditional forms of legitimisation. For example, Milbank argues that traditions which enter into reflexive justification "betray an alienation from the seamless narrative succession of tradition that never felt the need for dialogical self-justification" (1990b p. 178). But is this diagnosis correct? Or have cultures in encounter always produced syntheses analogous to the products of the juxtaposition of Western and other cultures today? In Chapter 1 (1.13) it was suggested that it is better to understand

heightened reflexivity as occurring whenever cultural systems interact in such a way the difference cannot be resolved as social stratification, with the modern conditions as but an extreme and prolonged example of such a situation. In Chapter 4 it will be argued that MacIntyre's conception of epistemological crisis enables such conditions to be understood as normal phases in the life of traditions, but that order may be achieved in their midst without social stratification by reinterpreting hierarchy in terms of values, drawing on the tradition of virtue ethics. But before examining MacIntyre's ideas, to do justice to liberal responses to plurality it is necessary to consider another defence of a universal morality along liberal, Kantian lines - that found in the later work of Jürgen Habermas.

3.6. Habermas' Communicative Ethics

Habermas' ethics is understood not to be contingent on particular culturally rooted practices, but rather founded on a kind of reciprocity implicit in the fundamental processes of communication. Thus as White writes of Habermas' theory:

Reciprocity is ... a viewpoint not tied to any particular culture or historical period, but rather is available to all actors, and as such, it can always provide a potential consensual standard for conflict resolution. (1988 p. 86)

Habermas provides new arguments for sustaining the liberal distinction between and preference for the right over the good. It has been argued that such a distinction depends upon the false premise of liberal neutrality, in particular the judicial neutrality of the state and the rational neutrality of the autonomous individual. Because liberal neutrality fails, it is only possible to build practices on the basis of particular conceptions of the good, sustained by traditions; any distinction between the right and the good is therefore a pragmatic rather than logical one, the 'right' defining the boundaries within which the state will enforce its conception of the good, beyond which traditions may compete. Civic education in this context involves an initiation into those substantive virtues promoted by the state to support public life: into those duties and that awareness of rights needed to be a competent citizen.

But if Habermas is correct and a universal morality is implicit in spoken communication, then there is an alternative source of a minimal morality which consists of the right as opposed to the good, Moralität as opposed to Sittlichkeit. Although Habermas allows that this minimal morality must be filled out by substantive ethical traditions, his theory would place civic and moral education on a fundamentally different footing, which may well have implications for programmes of civic education, in particular circumscribing the role of traditions within them.

The claim for universality can be expressed in foundationalist or non-foundationalist forms. In its foundationalist form, historically the dominant one, reason proceeds from premises which can also be universally agreed, premises which can be expressed as propositions. However, the difficulty of stating these premises has led many to abandon that task, but some maintain nonetheless that rationality is universal. Such a position is taken by Habermas (White 1988 p. 129), for whom it has great ethical significance, since he argues that without reason to adjudicate in a society with competing conceptions of the good there is no hope for justice:

Under modern conditions, philosophy can no longer stand in judgement over the multiplicity of individual life projects and collective forms of life, and how one lives one's life becomes the sole responsibility of socialised individuals themselves ... Hence, what is capable of commanding universal assent becomes restricted to the procedure of rational will formation. (Habermas 1993 p. 151)

Habermas makes a distinction between two kinds of rationality - instrumental and communicative. Instrumental rationality is that which links goals, means and ends; it is problem-solving rationality. It can be exercised individually or by groups, but in each case its focus is the goal oriented subject, exemplified in scientific method and bureaucratic procedure. Its role has been greatly extended in modernity, where its 'adiaphorising' consequences have been condemned by Bauman (1.13). But where for Bauman instrumental reason is reason, and hence "morality is not safe in the hands of reason" (1993), for Habermas reason is also communicative, and here lies the hope of ethics.

For Habermas all conversation, or 'speech-acts', rest on a certain kind of reciprocal trust, which cannot be broken without self-contradiction. This trust has to do with the necessary conditions for sustaining interaction in community; these are that speech-acts are intentional and that claims made could be verified if necessary. To enter into conversation is to depend upon the normative structure implied in these conditions. These obligations of conversation cannot be rescinded in the same way as a specific moral principle:

An agent who is part of ongoing contexts of communicative action commits a performative contradiction if he denies that he is accountable for the normative claims his actions raise. (White 1988 p. 51)

While countless exceptions (deliberate deception, genuine mistakes, irony, sarcasm) can be invoked where such reciprocity is violated, Habermas argues that these are all parasitic upon the 'moral capital' of the "speech-act immanent obligation". The use of this image (i.e. 'moral capital') indicates the parallel between the role of communicative action in sustaining morality for Habermas, and the role of tradition in MacIntyre. What Habermas in effect asserts is that every speech community is a teleological community aimed at the goal of continuing social interaction,

and there is a certain minimal ethics implied in the sustaining of any such community. Thus Habermas' speech communities can be seen as traditions without a history or a future - except that of ongoing communication. Stripped of all particular content, the model is held to be universally valid.

This is an intriguing proposal, but questions arise over just what is universalisable from this model, particularly the sense of reciprocity implied in communicative action, and hence about the kind of ethics which can legitimately be built upon it. My argument is that Habermas insinuates a sense of reciprocity which is not, in fact, implicit in the minimal communication community he postulates. As a result he deduces a fuller minimum morality from his model than I think he is entitled to claim, and the shortfall suggests that one cannot relegate substantive ethical traditions to the secondary role to which he assigns them.

Habermas claims that the structure of mutual recognition of validity claims is one which implies reciprocity in the sense of the reversibility of moral claims; thus rules I apply to you can also apply to me, the claims I make of you, you can also make of me. Yet there seem to be few situations of such precise equality in real relationships; role and context would seem to define the nature of mutual recognition, and reciprocity with the connotation of reversibility need not be implied. He does recognise that not all relationships are fully reciprocal (i.e. reversible), but argues that there is a certain symmetry ("incomplete reciprocity") which in some sense anticipates full reciprocity, which is premised on equality and reversibility. For example, consider the following passage:

In communicative action a relationship of at least incomplete reciprocity is established with the interpersonal relation between the parties involved. Two persons may stand in an incompletely reciprocal relationship insofar as one may do or expect x only to the extent that the other may do or expect y (e.g. teacher/pupil, parent/child). Their relationship is completely reciprocal if both may do or expect the same thing in comparable situations ($x = y$) (e.g. the norms of civil law). In a now famous essay Alvin Gouldner speaks of the norm of reciprocity which underlies all interactions ... This expression is not entirely apt, since reciprocity is not a norm but is fixed in the general structures of all interaction. (Habermas 1979 p. 88)

My disagreement here is perhaps small, but significant. If reciprocity is understood in the weak sense of common recognition of social norms by participants in conversations, then the claim is acceptable. But Habermas seems to want to make the stronger claim that this kind of recognition is an incomplete version of full reversibility and equality. My argument is that there is nothing intrinsic to the structure of communication which entitles Habermas to make this move; smooth and sustainable communication is not dependent on equality but on mutual recognition of common norms. Habermas' decision to assert that reversible moral obligations, rather than

mutually recognised but different ones, are a fuller realisation of the implicit telos of all communication communities springs from elsewhere - from an Enlightenment narrative - not from the universal conditions of communicative interaction.

The identification of responsibility with a strong (reversible) notion of reciprocity is also at the root of Bauman's objection to Habermas' "tireless endeavour" (1993 n. 30 pp. 220-1). Instead, Bauman takes his moral cue from Levinas, whose concept of faciality is radically asymmetrical (1.13 above). But so too are the ethics of many traditions; pre-modern Christianity and Islam for example. There is no reason why the mutual recognition of claims implicit in a hierarchically ordered society should be any less compatible with the viability of speech communities than Habermas' reversible reciprocity.

The differences in notions of reciprocity (mutual recognition of norms, reversibility) may become clearer if we consider the kind of claims Habermas makes on the basis of his minimal morality or "discourse ethics".¹⁰ Habermas' model provides "discursive constraints on compromise" between rival ethical traditions, rather than actually leading to particular solutions, or offering specific proposals itself. In this sense it is a valuable conceptual resource for the model proposed here, which likewise tries to provide a framework within which competing claims can be considered rather than offering a theory which tries to solve all the problems itself, surely a necessary feature of a proposal for a democratic society and in an age which has lost faith in the modern project of social engineering (Bauman 1991). What, then, are the constraints imposed by discourse ethics? White compares Habermas' position with J L Mackie's "simple contractarianism" (in Habermas 1989 p. 76), in which different parties simply bargain without any constraints on the processes of negotiation. In the Habermasian model however:

...the discursive emphases on procedural equality, participation, non-deception and non-manipulation provide criteria in relation to which compromises must be called to account. (White 1988 pp. 76-7)

The understanding of reciprocity as mutual recognition of social norms would, I think, also preclude deception and manipulation; to participate in a speech community is to recognise its rules, even if these are sometimes violated. On these lines, a minimal account of participation is also possible. But to insist on procedural equality as a basic premise of communication seems plainly to import culturally specific values into a purportedly universal model. It is as if the Enlightenment lay hidden in every utterance of humanity from the dawn of time.

¹⁰The use of the term 'discourse ethics' for a minimal morality is somewhat confusing given Habermas' Moralität/Sittlichkeit distinction between morality and ethics, but he retains the term because its use has become established.

The model does permit, as would Raz's (1986) voluntaristic utopia, that people can voluntarily enter into unequal social relations, but they must be free to choose to do so. But this is to miss the point that the kind of individual who makes such a choice is clearly a particular kind of socially disembedded subject, a subject for whom the telos of a community is already subordinate to individual autonomy. Habermas' attachment to this Enlightenment narrative is further evidenced in the relation of his theory to Kohlberg's theory of moral development. The modern notion of emancipation, of humanity developing from the particular to the universal via the employment of a monolithic reason, is in Kohlberg's model inscribed on the moral development of every individual (White 1988 pp. 66-8).

But if part of the structure of negotiation imposed by Habermas is rejected, what constraints on negotiation does a model of traditions offer beyond simple contractarianism? The aspects of discourse ethics implied by recognition of social norms (i.e. non-deception, non-manipulation, a weak notion of participation) have been accepted. However, the model holds that the obligations imposed by speech communities cannot be separated from the history and telos of those communities. The force of Wittgenstein's remarks on the impossibility of reducing language to simple rules applies here; the obligations implied in language cannot be separated from the subtleties of performance and the 'depth' of context (Monk 1990). As Alexander (1985) writes in his critique of Habermas:

there is an inevitable investment in the world of things and the world of ideas which has some kind of dogmatic, uncritical status ... there seems to be abundant evidence that moderns still seek to understand the contingency of everyday life in terms of narrative traditions whose simplicity and resistance to change make them hard to distinguish from myths. (Alexander 1985 p. 420)

The constraints imposed by a model of traditions in interaction relate to the teleological orientation of traditions. The burden of proof placed on any agreement between traditions is to show how the compromise reached relates to the teloi of the communities involved. This needs to be considered in the context of a fuller account of the relations between practices, the unity of an individual life and the virtues, which must wait until the next chapter. However, for now it can be noted that this larger perspective of the telos of a tradition cuts out the possibility of short-term interests dominating, as in a contractarian model. By drawing attention to the larger bodies of tradition to which living communities belong it also brings history into focus, and thus raises questions of relationships of power between traditions.

A model of which understands liberalism as a tradition, indeed as the tradition which predominates in the cast of modern institutions and economic arrangements, would encourage a greater awareness of ends sought and responsibilities implicit in rights, rather than purely

negative freedom. Such an understanding also opens up the path to a deeper liberal understanding of other traditions, as well as rendering liberalism in a form in which its morality becomes comprehensible to those anchored in such traditions. Thus such a model provides a basis for communication in a plural society, which Habermas' discourse ethics cannot. However, if we are using 'tradition' in MacIntyre's sense, it must be recognised that it is not straightforwardly possible to identify liberalism as a tradition. To consider this and other complexities, a more detailed consideration of the work of Alasdair MacIntyre will now be presented.

Chapter 4:

MacIntyre and Tradition

4.1 Introduction: MacIntyre's Early Work.

In Chapter 1 (1.6) MacIntyre's concept of tradition was introduced as a way of thinking through problems thrown up by cultural difference, intellectual incommensurability and political and social co-existence. MacIntyre challenges the classic Enlightenment dichotomies of reason/tradition and fact/value by arguing that "all reasoning takes place within the context of some traditional mode of thought" (1985 p. 221); all facts are comprehensible only within a prior evaluative framework. However, this refutation of Enlightenment absolutism does not entail an all-embracing relativism; rather, reasoned exchange between traditions becomes possible under certain historical conditions. Nor does it involve the levelling of knowledge claims across all fields of enquiry; for example, and particularly in his earlier work, MacIntyre stresses the difference between the status of knowledge in the natural and social sciences (1971, 1973).

The preceding chapter (3.5) has elaborated on the significance of MacIntyre's insistence on examining the tradition-location of argument by considering liberal accounts of cultural minorities. In spite of a rhetoric of equality and neutrality, such accounts have been shown to presuppose and promote the culturally specific Western value of autonomy.

Judging by the quantity of material published in response, MacIntyre's most influential work has been After Virtue (1985). I think it is also possible to argue that this is the central work in his 'canon', both because it draws on previous work to present a startling new thesis, and because it sets the agenda for his subsequent publications. I shall therefore make After Virtue central to my presentation of MacIntyre's work in this section, drawing on earlier and later works and secondary materials to provide a context for and to develop issues raised within it.

MacIntyre began his career as a Christian philosopher engaged in dialogue with Marxism. He appears to have been drawn to both because:

Christianity like Marxism is a form of praxis, i.e. a unity of theory and practice and hence tying thought or commitment of a morally imperative kind to actions in the world. (McMylor 1994 p. 10)

In his first published work Marxism: An Interpretation (1953)¹ this attraction to praxis is justified in Christian theological terms, indeed through his reading of the parable of the sheep and the goats (Mt. 25:31-46). MacIntyre derives five main points from the parable: societies and not just individuals (and hence, for my purposes 'public space') are to be redeemed; the reality of evil; it

¹ Out of print: cited in McMylor 1994 pp. 1 and 176.

is for God alone, not humanity to make judgements about the salvation of individuals; humanity should show mercy in practical ways - for it is in the form of those in need that we encounter God in this world (McMylor 1994 p. 7). MacIntyre retains this early conviction of the fundamental unity of thought and action embodied in social context throughout his work. Thus McMylor comments:

almost always in MacIntyre's work it is the holding in tension of the relationship between the internal content of the argument and the surrounding social world which is vital for the development of the position. (1994 p. 31)

In the sixties much of MacIntyre's work concerned the credibility of religious belief and practice in the contemporary context. Thus in 1963 he described John Robinson's Honest to God as:

a form of practical atheism, for it clothes ordinary liberal forms of life with the romantic unreality of a catacombic vocabulary. (1971, p. 19)

McMylor comments: "At this stage then obviously MacIntyre was not any sort of orthodox Christian" (1994 p. 41), but I suggest quite the contrary: seeing Christian faith as a form of life MacIntyre rejects forms of theology which simply clothe secular ideas and legitimate secular practices in the language of Christian devotion; or in this case an amalgam of Christian piety and existentialist philosophy. I suggest that after the 1960s MacIntyre backs away from explicitly theological formulations because he finds the paths taken by contemporary theologians increasingly incredible; either because, in the case of liberal theology, it is difficult to distinguish in substance from secular liberalism, or because of a retreat into a Wittgensteinian fideism which fails to connect with social context (McMylor 1994 pp. 33-5). A third Christian response, which MacIntyre identifies with TS Eliot and the Tractarians, is to attempt to appeal to elements of the past embedded in the present in order to build something new; McMylor adds the names of CS Lewis, GK Chesterton and MacIntyre himself to this list (1994 pp. 35-6). It is in this context that MacIntyre's present commitment arises; this is to an Augustinian-Thomist form of Christianity and its institutionalisation in the Catholic church (McMylor 1994 p. 174).

MacIntyre's method - and it is very largely his method and its implications that I am interested in appropriating and developing - is one which combines insights from history (especially the history of science), philosophy and social science. In works prior to After Virtue, including A Short History of Ethics (1967a), Secularisation and Moral Change (1967b) and Against the Self Images of the Age (1971), he presents an interdisciplinary approach to understanding ethics in historical and social context, and argues against the academic isolation and ahistorical approach of much moral philosophy.² This early approach is well illustrated in the second of these works.

In Secularisation and Moral Change (1967b) MacIntyre argues that economic and social change made the claims of any one group in society to represent the whole of society

²He makes these points himself in the preface to After Virtue (1985 p. 1).

implausible, and that this underlies both the decline in religious practice and the fragmentation of moral discourse observable in England since the early nineteenth century. The persistence of residual religious practice amongst the working class is explained in terms of the absence of an emergent coherent secular alternative, and amongst the middle and upper classes as due to insulation in some sectors from the impact of social change. This argument fits the evidence that decline in religious observation preceded the dissemination and assimilation of intellectual critiques of religion (for example the public impact of biblical criticism, Darwinism or Marxism). The differential impact of urbanisation and industrialisation on the United States is understood to be due to the formation of a civil religion which provided moral coherence, although at the expense of theological content; the ideology of 'one nation under God', he argues, takes precedence over the particular content of religion (1967b pp. 32-4, 60-3). The formation of a secularised civil religion is seen to be facilitated by appeal to religion providing a common link between diverse settler groups and the creation of a shared egalitarian ethos arising out of the experience of the American Revolution, an experience which preceded class differentiation caused by the industrial revolution. Thus incomplete secularisation and European-American differences are explained in one neat thesis which brings together a diversity of evidence and disciplinary perspectives.

This summary suggests a functionalist and reductionist account of religion, and indeed it comes from a period when he appears to have been distanced from Christianity (McMylor 1994 p. 41). This situation was to alter in the 1980s when, for reasons which will become apparent in considering After Virtue and Whose Justice, Which Rationality? (1988), he became convinced that the Thomistic formulation of Aristotelianism provides the most coherent response to the moral dilemmas of modernity. However, prior to this period it is apparent that he was already committed to a position which sees human understanding as inextricably tied to context, a position which may be described as 'historicist', and yet avoids the reductionist and relativist tendencies often associated with such accounts. His development of this position can be seen in several of the essays in Against the Self-Images of the Age, (1971), and can be illustrated by considering the account of the relation between rationality and context in "Rationality and the Explanation of Action".

The main thesis developed here is a defence of rationality as an explanatory concept in sociology, a thesis which in turn entails that sociology is necessarily evaluative, and cannot be 'value-free' or 'neutral'. In reaction to the intellectual imperialism of earlier academics those of the late '60s (MacIntyre cites H R Trevor-Roper's "The European Witch-Craze" in Religion, the Reformation and Social Change) were jettisoning any attempt to make cross-cultural judgements about rationality. In response MacIntyre argues that rational and irrational thought can be differentiated by reference to the relation between context of production and the thought produced. Irrational thinking is that which can be reduced without remainder to a

response to context, whereas rational thinking cannot be so reduced, but always requires further explanation in terms of the system of thought involved:

the explanation of rational belief terminates with an account of the appropriate intellectual and norms and procedures; the explanation of irrational belief must be in terms of causal generalizations which connect antecedent conditions specified in terms of social structures or psychological states - or both - with the genesis of beliefs. (1971 p. 247)

He argues that even in forms of history and social science which attempt to abandon the distinction between rational and irrational thought, such a distinction is made tacitly in the explanations of beliefs and behaviour offered. Rationality emerges in this account as a function of orderly and consistent relations between agreed terms within a cultural frame of reference. Thus:

...the problem of rationality is a problem of the relationship of the beliefs and norms which define the roles which structure action in a given social order and the beliefs and norms of the agents whose behaviour is characteristically governed or defined by these roles. (1973 p. 256)

Whatever this cultural or historical frame, some agreements across frames about the kind of relations between terms which are orderly and consistent are necessary in order to attempt any representation of the culture at all. Thus some aspects of rationality are necessarily universal:

To understand what is said in a given culture, we must learn to classify the forms of utterance ... We shall not be able to do this except on the assumption that the laws of logic are embodied in the linguistic practice of the community which we are studying. ... So far as this element of rationality is concerned, then, there is no question of *us* judging the rationality of alien cultures in terms of *our* criteria. For the criteria are neither *ours* nor *theirs*, but simply *the* criteria, and logic is the inquiry which formulates them. (1973 pp. 249-50).

Therefore, MacIntyre distinguishes two elements in rationality. First, the linguistic element: the logical foundations of language which are a prerequisite for communication and translation. The second element is specific to genre. Here he cites Mary Douglas' argument that the purity and pollution codes of other cultures would be misconstrued as misguided health and safety standards; understood as such they are indeed irrational, but in the context of comparative anthropology a genre can be identified within which they may be seen as rational. Analogously, the author of Genesis 1-3 may be defended from the charge of writing poor evolutionary biology because the genre of his writing has been misidentified. But it is important to note that he can only be defended from such a charge if we are able to identify the rules of the genre of which he is making use, and that even within that genre if he breaks those rules in a way which cannot be interpreted as poetic innovation.

MacIntyre later develops his account of rationality, especially in Whose Justice? Which Rationality? (1988) which will be considered below (4.4), but his early work provides a context for understanding the relation between context and thought espoused in After Virtue, which can be described as 'historicist'. MacIntyre's historicism fits a more traditional definition of the term as the thesis that "human understanding is always a 'captive' of its historical situation" (D'Amico in Stern 1994 p. 146) rather than Popper's sense of "an approach to the social sciences which assumes that historical prediction is their principal aim" (Popper in Stern 1994 p. 158 note 2). It is clear from "Rationality and the Explanation" that historicism need not entail reductionism, and hence relativism (for if belief can be reduced to context it follows that it will vary as a function of context, the relativist thesis), but developing a form of historicism that is resistant to relativist charges is a major achievement of After Virtue, and will be of central importance to my deployment of MacIntyre's ideas to develop a theory of multiculturalism. The argument developed in After Virtue will now be considered.

4.2 After Virtue: The Failure of the Enlightenment Project

After Virtue has both an epic sweep and a fastidious grasp of detail. From an apocalyptic vision of a civilisation after virtue,³ we are presented with a survey to witness that this apocalypse has already happened, undetected. Whether articulated academically in the Cambridge of Moore and Stevenson, or embodied in the management of business and bureaucracy which shape our working lives or in the practice of the therapies that play such a role in interpreting our private lives, a form of moral theory is overtly or tacitly accepted which reduces moral utterance to the statement of personal preference: emotivism.⁴ Yet simultaneously we continue to function as if the opposite of emotivism were true: human rights, legal systems and the continuation of moral argument itself each presuppose that at least a minimal morality can be universally and rationally founded.

Thus MacIntyre argues that contemporary moral discourse is characterised by two contradictory features. Firstly, the sets of moral concepts invoked by different protagonists are incommensurable, fundamentally different to one another in ways that cannot be resolved within a single conceptual scheme. But secondly, in spite of this diversity, moral arguments are presented as if they are supportable by universally recognisable rational arguments. The effect of the first feature is to reduce moral discourse to statements of preference, for which no reasoning can be provided, and this is the picture of morality represented by emotivism. In

³"[W]e have - very largely, if not entirely - lost our comprehension, both theoretical and practical, of morality" (1985 p. 2).

⁴MacIntyre defines emotivism as "the doctrine that all evaluative judgements and more specifically moral judgements are *nothing but* expressions of preference, expressions of attitude or feeling, insofar as they are moral or evaluative in character." (1985 pp. 12-13)

this account moral language becomes a mask to conceal the expression of essentially arbitrary will, as Nietzsche argued; only the moral assumptions and not the arguments of emotivists like C L Stevenson (in MacIntyre 1985 pp. 19-20) prevented them from reaching Nietzsche's conclusion.

The second feature, argues MacIntyre, persists as a rhetorical device also unsubstantiated by argument; for the presence of the first feature (the continuation of a variety of incommensurable moral schemes) already suggests that the project of finding universal rational foundations for morality (the 'Enlightenment project') has not succeeded. It is possible that such a foundation has been found but is not yet recognised; MacIntyre confronts this possibility by addressing the work of some of the most eminent proponents of this project: Kant (pp. 43-50) , Rawls (pp. 246-252), and also Gewirth's Reason and Morality , which he chooses because "it is not only the most recent of such attempts, but also because it deals carefully and scrupulously with objections and criticisms that have been made of earlier writers" (p. 66). MacIntyre's objection to Gewirth's argument takes the same form as my objection to Habermas' theory of communicative action (above 3.6), namely that it illicitly imports a specific Enlightenment value and interprets it as universal. Thus where Habermas legitimately draws attention to the reciprocity embedded in communication but illicitly universalises an egalitarian form of reciprocity, Gewirth legitimately specifies necessary conditions for the exercise of rational agency but illicitly insists that the recognition of these conditions logically entails the necessity of their protection as rights. As MacIntyre comments:

One reason why claims about goods necessary for rational agency are so different from claims to the possession of rights is that the latter in fact presuppose, whereas the former do not, the existence of a socially established set of rules. ... They are in no way universal feature of the human condition. (1985 p. 67)

We shall deal with the sense in which Kant's arguments are held to fail by MacIntyre below, and Rawls has already received consideration independent of MacIntyre (3.3). But MacIntyre's central argument for the failure of the Enlightenment project⁵ does not depend on a detailed refutation of all foundationalist projects. Rather his argument is that within the frame of reference within which it was set up, the Enlightenment project was *bound* to fail.

A third feature of contemporary moral discourse noted by MacIntyre is the diverse historical origins of the moral schemes invoked in contemporary usage, and here lies a clue to his response to the dilemma of contemporary morality. For MacIntyre proceeds to narrate the history of the development of the contradiction between the manifest diversity of moral schemes and the continued widespread assumption of universal rational foundations as a single complex history of the failure of the 'Enlightenment project'. But he does not wish to

⁵MacIntyre dates the Enlightenment project between 1630 and 1850 (1985 p. 39).

argue that all morality is thus groundless, but rather to argue that the attempt to justify morality in the Enlightenment project in particular was misconceived. The central problem which MacIntyre identifies here is the rejection of certain features of Aristotelian accounts of reason and morality. In particular, the Enlightenment emptied reason and morality of teleology; thus reason is reduced to calculation and morality to rules.

This rejection of teleology is traced by MacIntyre to the influence on influential Enlightenment thinkers of developments in science and theology in the North European intellectual context. For Protestant and Jansenist Catholic theologies reason is seen as so tarnished by the Fall that it is incapable of perceiving humanity's true ends; hence the foundation for a teleological account of morality is weakened. At the same time, in seventeenth century science Aristotelian teleological notions of causality were being overturned:

Reason does not comprehend essences or transitions from potentiality to act; these concepts belong to the despised conceptual scheme of scholasticism. Hence anti-Aristotelian science sets strict boundaries to the powers of reason. Reason is calculative; it can assess truths of fact and of mathematical relations but nothing more. In the realm of practice therefore it can speak only of means. About ends it must be silent (1985 p. 54)

MacIntyre traces a history of the influence of this new conception of reason from Pascal to Hume to Kant to Kirkegaard. It is the Jansenist Pascal who first recognises the coincidence between the instrumental view of reason promoted by experimental science and the "Protestant -cum-Jansenist" account of fallen reason (1985 p. 54), and it is in Pascal's Pensées that the moral agony of the criterionless self confronted with the external demands of divine law receives one of its earliest and most dramatic treatments (1985 p. 40). The effect of a purely instrumental understanding of reason promoted by these scientific and theological developments was to render a teleological account of reason incredible, and hence to undermine faith in reason's capacity to tutor the will, a faith which had underpinned medieval Christian, Muslim and Jewish accounts of ethics, each of which derived from the Aristotelian threefold account of moral structure (1985 p. 53). The three elements of this structure were:

untutored human-nature-as-it-happens-to-be, human-nature-as-it-could-be-if-it-realised-its-*telos*, and the precepts of rational ethics as the means for the transition from one to the other (1985 p. 53)

The effect of emptying reason of its teleological content was to uncouple the three components of this account and displace the second component - a teleological account of human nature. Aristotelian moral structure is thus replaced by a two-fold scheme of humanity-as-it-is and the need for a rational ethics to police this condition. Thus the Enlightenment project is to provide a rational basis for such ethics, without the crucial teleological middle term which made sense of its ancestors' formulations (1985 pp. 54-5).

MacIntyre sees this as an impossible task, and charts the failure of Hume, which he sees as issuing in the recognised criterionless self of Kirkegaard's Enten-Eller (1985 p. 42).

MacIntyre notes Hume's familiarity with Pascal's writings, and his Calvinist upbringing. For Hume it is passion and not reason which drives us to action (1985 p. 48). How, then, to shape a rational ethics? Hume can only do so by illicitly imposing without justification a normative standard of passions - "those of a complacent heir of the revolution of 1688" (1985 p. 49), and excluding other passions (those of Levellers and Catholic ascetics for example) as deviant, absurd or criminal (1985 pp. 48-9).

Unlike Hume, Kant rejects passions as the basis for morality, and instead turns directly to reason. Kant argues that only those moral maxims should be admitted which can be consistently universalised, which means that we can consistently will that everyone should always act on them. However, to maintain those maxims which he wishes to uphold, such as 'Do not commit suicide' Kant is, according to MacIntyre, forced to resort to:

notoriously bad arguments, the climax of which is his assertion that any man who wills the maxim 'To kill myself when the prospects of pain outweigh those of happiness' is inconsistent because such willing contradicts an impulse to life planted in all of us. This is as if someone were to assert that any man who wills the maxim 'Always to keep my hair cut short' is inconsistent because such willing 'contradicts' an impulse to the growth of hair implanted in all of us. (1985 p. 45)

The very fact that Kant is forced into special pleading for certain maxims indicates that he is already committed to a substantive morality not contingent on the principle of universalisability. But not only does the universalisability test fail to pass those maxims which Kant wishes to permit, but it permits many which he would wish to exclude as trivial or immoral: MacIntyre gives the examples of 'Always eat mussels on Mondays in March' and 'persecute those who hold false religious beliefs'. MacIntyre argues that the substantive morality which Kant is in fact trying to defend is summed up in the maxim:

Always act so as to treat humanity, whether in your own person or in that of others, as an end and not a means. (in MacIntyre 1985 p. 46)

In his attachment to this maxim MacIntyre understands Kant to stand in sharp contrast to emotivism and in a long philosophical tradition running back to Plato, all of whom wish to make central to ethics a refusal to treat a person as "a mere instrument of *my* will, without any regard for *his* rationality" (p. 46). But, argues, MacIntyre, without a teleological account of human nature binding reason and morality Kant cannot provide reasons for this position. Hence the universalisability defence of even this maxim fails, since its opposite can be consistently universalised:

'Let everyone except me be treated as a means' may be immoral, but it is not inconsistent and there is not even any inconsistency in willing a universe of egoists all of whom live by this maxim. (1985 p. 46)

The dilemma presented in Kirkegaard's Enten-Elfen is seen to make sense in the light of the failure of such brilliant philosophers as Kant and Hume to secure the Enlightenment project. Here ethics is not based on passion or reason but on choice; not a moral choice between good and evil but a choice between morality and amorality, represented by the voice 'A' of the aesthete commending pleasure and voice 'B' commending morality (1985 p. 42). No reason for preferring the one to the other can be given prior to commitment to one or the other. For MacIntyre this is only the logical and necessary outcome of a moral tradition stripped of a teleological account of human nature.

Thus the Enlightenment project is seen to fail, and in a culture heavily indebted to the Enlightenment its failure appears as the failure of all morality, as Nietzsche was thus led to argue (MacIntyre 1985 p. 113).⁶ But, argues MacIntyre, the failure of this project should rather be seen as a local one with global implications due to the ascendancy of Western culture; in particular, the near universal spread of Weberian⁷ forms of bureaucracy and management. However the failure of the Enlightenment project, and even its widespread social embodiment, does not mean that all morality has necessarily failed. A return to the Aristotelian scheme of the Enlightenment's predecessor culture provides the possibility of reuniting reason and morality. To this end MacIntyre begins another history: that of the Aristotelian moral tradition from its ancestor in Homeric and urban Greece, through Greek tragedy and Plato and Aristotle himself, through its Christian and medieval successors, and on to attempt to recover by reflection on this history a historicised version of Aristotelianism.

MacIntyre's account of the development of the Aristotelian tradition of ethics covers much of the same ground as A Short History of Ethics (1967a). However, in After Virtue the use of material outside the Greek tradition makes an appearance, and hence an implicit claim to be presenting a cross-culturally valid model of the development of moral frameworks may perhaps be discerned.⁸ His account of the virtues in heroic societies in both books stresses the close connection between social role and morality, the adequacy of the latter corresponding to

⁶"It was Nietzsche's historic achievement to understand more clearly than any other philosopher ... not only that what purported to be appeals to objectivity were in fact expressions of subjective will, but also the nature of the problems that this posed for moral philosophy."

⁷MacIntyre argues that one of the consequences of the failure of the Enlightenment project, "belief in an irreducible plurality of values" is "an insistent and central Weberian theme" (1985 p. 109). The containment of this plurality by management and bureaucracy and the masking of a lack of objective foundations by an illusion of 'effectiveness' is what is intended here by "Weberian forms of management and bureaucracy".

⁸ Certainly a *prima facie* case might be made for discerning a parallel development between Islamic and Christian/post-Christian societies. Pre-Islamic Arabia typifies a heroic society, interrupted by a religion which makes universal claims across ethnic boundaries and coincides with urbanisation, then encounters and incorporates Aristotelian moral ideas, and is interrupted by the impact of modernity.

the degree of success in completion of the former. However, this correspondence between performance of role and moral adequacy is sometimes threatened even in the telling of the stories: in both Homeric epics and some Icelandic sagas a reflective distance from the society portrayed permits the perception of moral ambivalence of a kind unavailable to the characters:

To be a suppliant, to be a slave, to be slain on the battlefield is to have been defeated; and defeat is the moral horizon beyond which nothing is to be seen, nothing lies. But defeat is not the Homeric poet's moral horizon ... What the poet of the *Iliad* sees and his characters do not is that winning too may be a form of losing. ... In *Gilsa Saga Sursonnar* what the saga writer understands, as his characters do not, is the complementary truth of the *Iliad*: losing on occasion may be a form of winning. (1985 p. 128)

Another feature of heroic societies is the correspondence between the natural order and the moral order of society. This correspondence is denied by the Sophists, who see ethics as relative to social context and real motivation to lie in the 'natural man' (1967a p. 16). In A Short History of Ethics MacIntyre argues that the Sophists are mistaken in their identification of 'natural man'; for their pre-social man turns out only to be 'heroic man', the moral hero of Homeric society out of place in the Greek city state, where social proximity and complexity calls for different, gentler virtues to those of the warrior. In general, 'natural man' apart from a particular society is a moral fiction, and any tradition which depends on such a character stands indicted. This includes any attempt to divine a universal human standpoint beyond all culturally particular forms, whether Rawls' occupier of the Original Position, or the criterionless self in Kirkegaard's Enten-Eller or later emotivist forms. Here MacIntyre shows his early historicist colours:

What the sophists, and the long tradition which was later to follow them, failed to distinguish was the difference between the concept of a man who stands outside and is able to question the conventions of some one given social order and the concept of a man who stands outside the social order as such. (1967a p. 18)

However, another, more persuasive representation of moral pluralism is considered in After Virtue: that portrayed in the Greek tragedies, especially those of Sophocles. By contrast with both Plato and Aristotle, Sophoclean drama portrays conflicts between goods as caused by something other than human error, which can therefore be of no value in human learning. In Sophoclean drama tragedy lies in the binding claims of conflicting moral goods. MacIntyre also sees this view as contrasting with the moral pluralism of moderns such as Weber or Berlin, because in Sophocles belief in an objective moral order is upheld while it is recognised that from a human perspective rival goods cannot be reconciled, whereas in Weber or Berlin rival goods are simply incommensurable, and the choice between them ultimately arbitrary.

Hence rival moral truths retain authority on a Sophoclean account which are lost in Berlin's 'agonistic liberalism':⁹

The interest of Sophocles lies in his presentation of a view equally difficult for a Platonist or a Weberian to accept. There are indeed crucial conflicts in which different virtues appear as making rival and incompatible claims upon us. But our situation is tragic in that we have to recognise the authority of both claims. There *is* an objective moral order, but our perceptions of it are such that we cannot bring rival moral truths into complete harmony with each other and yet the acknowledgement of the moral order and of moral truth makes the kind of choice which a Weber or a Berlin urges on us out of the question. For to choose does not exempt us from the authority of the claim which I choose to go against (MacIntyre 1985 p. 143).

It seems to me that Sophoclean tragedy here provides a resource for a theological understanding of moral pluralism, one which can accept the force of what Shanks calls "negative revelation" (Shanks 1995, especially Chs. 1 and 3). MacIntyre does not forget this Sophoclean theme, and argues against Aristotle's view that the conflicts represented in Greek tragedies arise solely from individuals' flaws of character, such that the cultivation of the appropriate virtues would ultimately remove the occasion for such conflicts. Rather, the conflict of good with good which constitutes tragedy arises prior to individual character flaws (1985 p. 163). However, such conflict, while tragic, is not meaningless or necessarily pointless. Rather, as MacIntyre approvingly cites John Anderson's contention, "it is through conflict and sometimes only through conflict that we learn what our ends and purposes are." (1985 p.164)

However, it is suggested that MacIntyre has a tendency to suppress this Sophoclean insight in works following After Virtue, where the interests of defending what has by then become a Thomistic Aristotelianism leads to the suppression of conflicting but genuine moral insights in alternative traditions. Nonetheless, recognition of the value of conflict is the one point on which MacIntyre disagrees with Aristotle. A second, and it is the first point made by MacIntyre in his treatment of Aristotle's account of the virtues in After Virtue, is the former's historicism (1985 p. 146). Aristotle saw his own account as so transcending those of his predecessors as to render theirs irrelevant. By contrast, on MacIntyre's historicist account, tradition "embodies a very unAristotelian theory of knowledge according to which each particular theory or set of moral or scientific beliefs is intelligible and justifiable - in so far as it is intelligible and justifiable - only as a member of a historical series." (1985 p. 146). Closely connected with this is a third area of disagreement: where MacIntyre stresses the relationship between the character of virtues and the narrative form in which they find their characteristic expression, no such connection is made by Aristotle. Thus Aristotle's account is

⁹I am borrowing this term from Gray (1995a, b), who uses it both to describe Berlin's work in a particular (1995a pp. 141-168), and to develop a more general position in dialogue with Berlin (1995b pp. 64-86).

not only unhistoricised but uncontextualised, in the sense that he offers no theory of the relationship between discourse and social context.

A fourth area of disagreement is over what MacIntyre calls Aristotle's "metaphysical biology": the idea that different social classes of people have different inherent natures which orient them to different ends.¹⁰ Hence slaves, women and barbarians are incapable of taking part in political life. Thus part of the teleology of Aristotle's ethics is constituted by this account of different human natures, hence an alternative ordering principle must be supplied if an Aristotelian ethics is to be revived. It will be seen below (7.2) in Milbank's treatment of Ruskin that the Christian socialist tradition provides an alternative in the form of a hierarchy of values, rather than of people or social groups.

In spite of these areas of disagreement, MacIntyre argues that many aspects of Aristotle's ethics remain cogent, and indeed are essential as a perspective from which to understand what has gone awry with modern ethics, and how this might be put right. So what are these positive features of Aristotelianism, and how does MacIntyre attempt to reconstruct this tradition?

Aristotle argues that every activity aims at a particular good, and hence defines a 'good' as that towards which a particular human activity is oriented. The good which we pursue for its own sake, and for which we pursue other goods, is *the* good, which Aristotle calls eudaimonia, which might be translated 'happiness' or 'flourishing' (MacIntyre 1967a p. 59, 1985 p. 148). Virtues are those qualities which tend a person toward the telos of eudaimonia, vices those qualities which lead him or her away. Hence for Aristotle ethics is the "practical science of human happiness in which we study what happiness is, what activities it consists in, and how to become happy" (1967a p. 57). Reason can help us to define what happiness is, and the cultivation of virtues, which are of two kinds (intellectual, acquired through study, and habitual, acquired through practice 1985 p. 154), enables us to transform our human nature from its untutored state towards its telos.

Aristotle distinguishes two kinds of means-end relationship (1985 pp. 148-9). In the first, ends can be characterised independent of means, but in the second the means are an intrinsic part of the achievement of the ends, and the two cannot be characterised independently of one another.¹¹ Virtues can be understood as means to the end of the good life for a person only in the latter sense:

¹⁰ To grasp this idea it may be helpful to compare it with those of varna and jati ('caste') in relation to dharma ('duty', 'order') in Hinduism

¹¹ This second kind of intrinsic means-ends relationship is strikingly illustrated in Gandhi's philosophy of peace:

I object to violence because when it appears to do good, the good is only temporary; the evil it does is permanent. (in Easwaran 1983 p. 43)

For what constitutes the good life for a man is a complete human life lived at its best, and the exercise of the virtues is a necessary and central part of such a life, not a mere preparatory exercise to secure such a life. Thus we cannot characterise the good for man without already having made reference to the virtues. (1985 p. 149)

A parallel point is Aristotle's distinction between two kinds of pleasure or enjoyment. MacIntyre introduces a distinction between internal and external goods to help explain this. Internal goods are those which are contingent upon the performance of a particular activity, while external goods are unrelated to particular activities. Thus, one can only gain the enjoyment from a particularly subtle strategy in chess by being able to play chess to a certain level of competence; by contrast the public attention and wealth attained by becoming a chess champion could be achieved in many other quite different ways. This former kind of pleasure cannot be mapped onto a utilitarian calculus since internal goods are necessarily incommensurable - thus an Aristotelian scheme expose the weakness of one of the two major moral schemes of modernity (the other being a rights-based morality of laws, 1985 p. 244).

A further point is that although internal goods are incommensurable, on Aristotle's account the virtues promoted by their pursuit are not. Thus the Aristotelian scheme allows for a diversity of goods to be pursued within a common framework of virtues. However, a critic may argue that this achievement of unity from diversity is possible only at the expense of confining difference to practices, in a parallel manner to the confinement of difference to private life achieved through the distinction between right and good in liberalism. Whereas the latter has been shown to fail because any conception of the right presupposes a particular conception of the good, the former is in difficulty if the unity of the virtues can brought into question.

This introduces a fifth point on which MacIntyre dissents from Aristotle (and indeed Aquinas, 1985 p. 179): the unity of the virtues. MacIntyre agrees that there is a symbiotic relationship between the virtues: courage, honesty, loyalty and practical intelligence all contribute inter-actively to the building and sustaining of community; but he denies that the lack of one or some virtues precludes the genuine possession of others. Thus he argues that it would be wrong to deny that a Nazi could possess the virtue of courage, and indeed that such denial would make the task of moral re-education even more difficult since it implies a denial of any point of moral contact. Hence he writes:

...and conversely:

Non-violence is like radium in action. An infinitesimal quantity of it embedded in a malignant growth acts continuously, silently and ceaselessly until it has transformed the whole mass of diseased tissue into a healthy one. Similarly, even a little of true non-violence acts in a silent, subtle and unseen way and leavens the whole society. (in Easwaran 1983 p. 156)

I take it that if any version of moral Aristotelianism were necessarily committed to a strong thesis concerning the unity of the virtues (as not only Aquinas but Aristotle himself were) there would be a serious defect in that position. (1985 p. 180)

This does not in itself deal with a more radical attack on the thesis of the unity of the virtues: the possibility that the virtues themselves may be incommensurable. However, we have already seen MacIntyre's response to this in his account of Sophoclean tragedy: here he expresses a faith that virtues are commensurable but only sub speciae aeternatis, a perspective unavailable to us, and hence the ineliminability of tragic conflict, which can nonetheless be an occasion for retrospective learning.

There is another aspect of Aristotle's ethics which can help to counter this defect: that the exercise of virtues be seen as part of the unity of an individual life, and that life in turn part of the life of the polis. The significance of these two locations for the exercise of the virtues is best left until MacIntyre's own position has been more fully spelt out; for this is the context in which MacIntyre discusses them, and to which he adds a third, the context of a tradition of enquiry. But one aspect requires comment now; to the extent that Aristotle presupposes the social environment of the Athenian polis any restated Aristotelianism must be able to provide an account of an alternative context for the exercise of the virtues.

A morality of the virtues has as its counterpart a morality of rules, but in contrast to modern ethics preoccupied with the specification of rules in an Aristotelian scheme rules "find their place in a larger scheme in which the virtues have the central place" (1985 p. 257). This provides the starting point for an Aristotelian critique of the second moral scheme of modernity; a rights-based morality of rules. The main purpose of rules in an Aristotelian scheme is to prohibit actions which would lead to the breakdown of the moral community: "an offence against the laws destroys those relationships which make the common pursuit of the good possible" (1985 p. 152). Thus "there is relatively little mention of rules anywhere in *Ethics*" but "Aristotle ... recognises that his account of the virtues has to be supplemented by some account, even if a brief one, of those types of action which are absolutely prohibited." (1985 pp. 150-152).

MacIntyre's account of Aristotle's ethics thus shows up many points of agreement and disagreement. Agreement on the characterisation of goods and the common good in relation to human goals, on the identity of the common good with the flourishing of persons in community, on the centrality of virtues as the means to achieve such goals in so far as means are understood as intrinsically related to goals, on the necessity for such a teleological scheme to make sense of a morality of rules, and on the role of practical reason in the identification of goals and the cultivation of intellectual virtues. He dissents from Aristotle in his rejection of the attribution of different essential natures to different kinds of people, in his historicism, in

his rejection of a strong thesis of the unity of the virtues, in his view of the necessity of tragedy and value of conflict, and in his thesis on the role of narrative in relation to virtue.

However, true to his historicist thesis MacIntyre does not seek to build directly from Aristotle, but rather from the Aristotelian tradition, whose strength lies not only in Aristotle's original formulation of his ideas but also in its ability to provide a cogent account of the relation between reason, ethics and society in a great variety of historical and cultural contexts. In particular he turns to Aristotelianism in its medieval re-discovery and manifestations, a context in which, as Europe emerged from the fragmentation of the Dark Ages, it was necessary to forge unity out of diversity:

The moralisation of medieval society lies precisely in creating general categories of right and wrong and general modes of understanding right and wrong - and out of them a code of law - which could replace the particular bonds and fractures of an older paganism. (1985 p. 166).

A central intellectual problem for adapting Aristotelianism to a Christian context is to relate a morality of virtues to a morality of implacable divine law (1985 p. 170). MacIntyre sees Alan of Lille (writing in the 1170s) as relating the two by seeing pagan virtues as important resources for solving political and social problems, especially in mediating between "the particularist claims of the intense local rural community" and the "universal claims of the church" (1985 p. 171). Theologically:

The virtues of which the pagan writers treat are useful qualities in creating and sustaining earthly social order; charity can transform them into genuine virtues, the practice of which leads to man's supernatural and heavenly end. (1985 p. 171)

In this Alan anticipates Aquinas' re-orientation of Aristotelianism within a Christian framework, which Aquinas was able to achieve using newly translated works of Aristotle some ninety years later.¹² However, in *After Virtue* MacIntyre does not consider Aquinas' work in any depth, emphasising rather the great "variety and untidiness" (1985 p. 180) of medieval uses of Aristotle over Aquinas' systematisation. In this untidiness he finds several common themes which he sees as marking an advance on Aristotle, the chief of which is an appreciation of history, the product of the interaction between Aristotelianism and Jewish, Christian and Islamic traditions with their shared sense of salvation history, and which gave the cultures influenced by them a sense of their own history:

...the medieval vision is historical in a way that Aristotle's could not be. It situates our aiming at the good not just in specific contexts - Aristotle situates that aiming within the *polis* - but in contexts which themselves have a history. ... The virtues are then on this medieval view those qualities which enable men to survive evils on their historical journey. (1985 p. 176)

¹² Aquinas wrote *Summa contra gentiles* between 1259 and 1264 (Küng 1994 p. 100).

MacIntyre emphasises the variety of influences on medieval thought, including another inheritance from classical culture - Stoicism. In Stoicism the many virtues are replaced by the one virtue of living in conformity with the cosmic order. Right action is divorced from the achievement of any goal, and so the teleology of Aristotelianism is absent. In A Short History of Ethics MacIntyre identifies Stoicism as a doctrine of the Roman upper classes (1966 p. 108); in After Virtue he sees it as a "permanent moral possibility" in the Western tradition whenever the kind of context which can provide "an intelligible relationship between the virtues and the law" disappears, as when the city state was replaced first by the Macedonian kingdom and later the Roman imperium. In such a fractured, plural setting there "would be no genuine shared common good" (1985 pp. 169-70). It is ironic in this context that Aristotle tutored Alexander the Great, who extended the Macedonian kingdom to form the largest Empire the world has ever seen. For it was the conditions created by Alexander which led to the divorce between virtue and law, and to a morality of laws and a concept of duty divorced from teleology which runs from the Stoics through Kant¹³ to Rawls, and which Milbank summarises as the "Stoic-liberal-nihilist tendency" (1990a p. 330).

From medieval Europe, MacIntyre charts the fate of the virtues in modernity, pointing out that in the absence of a teleological scheme they are reduced to qualities for the cultivation or suppression of the passions. He identifies in Jane Austen the last bearer of a teleological scheme of virtues, arguing that the restricted social world of Austen's novels reflects the restriction of social contexts in modernity within which a moral scheme in the Aristotelian sense can be sustained:

Morality in Jane Austen is never the mere inhibition and regulation of the passions ... Morality is rather meant to educate the passions... Jane Austen is in a crucial way the last representative of the classical tradition [of the virtues]. (1985 pp. 241-3)

From this history MacIntyre then sets about constructing his own position. He accepts that the virtues enumerated by Aristotle are very different to, and indeed contradict, those listed by medieval Christian Aristotelians (e.g. humility),¹⁴ and that the medievalists' virtues are different again to those found in Austen (e.g. 'constancy', 1985 pp. 241-2). However, he discerns continuities which enable one to identify these virtues as part of a historical series, and abstracts from this history a scheme which provides a restatement of Aristotelian ethics

¹³ As MacIntyre recognises, Kant (in the second book of the second *Critique*) did in fact see a teleological framework as a necessary presupposition for a rational account of morality; but later followers of Kant saw this as "an arbitrary and unjustifiable concession to positions he had already rejected" (1985 p. 56). MacIntyre also recognises that his assertion that in Kant "the notion that morality is anything other than obedience to rules has almost, if not quite, disappeared" (1985 p. 236) is unfair, in particular in neglecting "the ways in which Kant is Christian and/or Stoic" and "Kant's notion of moral community" (1994 p. 448). However, he goes on to argue that precisely those areas in Kant which he neglects (moral community, Christianity) are those which cannot be made sense of in terms of the Enlightenment project, and therefore confirm his central thesis about that project's failure (1994 p. 450).

¹⁴ "Aristotle certainly would not have admired Jesus Christ and he would have been horrified by St. Paul" (1985 p. 184).

for the present day. We are now in a position to present MacIntyre's response to the question raised at the end of the last section, namely, 'if the moral crisis of modernity is linked to the development of modern economic forms which corrode traditions, what chance is there of reviving a sense of tradition under modern conditions?'

4.3 MacIntyre's Neo-Aristotelianism

The first point to notice is that MacIntyre's diagnosis of the failure of the Enlightenment project challenges one of the assumptions of this question; namely, the primacy of economic forms in determining moral life. For example, in After Virtue MacIntyre points out the difference between his and Marx's account of why modern societies cannot hope to achieve moral consensus, in the context of Marx's argument in the 1860s that it was pointless for English trade unionists to appeal to justice in disputes with their employers:

Marx was of course mistaken in supposing that such disagreements over justice are merely secondary phenomena, that they merely reflect the interests of rival economic classes. Conceptions of justice and allegiance are partly constitutive of the lives of social groups, and economic interests are often partially defined in terms of such conceptions and not *vice versa*. (1985 pp. 252-3)

Moral schemes then, are not simply passive reflections of material conditions, so it is at least appropriate to ask the question whether MacIntyre, by presenting a moral theory, can suggest a way to sustain traditions under modern conditions. Secondly, although MacIntyre's conception of 'tradition' has not yet been discussed in detail, sufficient has been said of his presentation of the Aristotelian tradition to identify that it is congruent with my use of the term in 3.5, and that its coherence is threatened by the same aspects of modernity which were identified as corrosive of traditions there, namely the dominance of instrumental and reflexive forms of rationality associated with modern economic and social forms, and the modern mixture of cultural disembeddedness and global interconnectedness.

MacIntyre's neo-Aristotelian moral scheme consists of five levels which provide contexts for the development of the virtues: "practices", which provide a primary social context, the diversity of virtues and vices developed by each individual, the context of the unity of an individual life, the context of a moral community, and the context of a tradition of enquiry which can reflect on its own development and locate the moral community in a historical narrative. To sustain moral community it is necessary, as we have seen, to have as a counterpart to this morality of virtues a morality of laws. This morality of laws depends on the morality of virtues in two senses: first, because the whole point of having the laws is to maintain the boundaries of the moral community whose purpose is the development of the virtues, and second because the administration of the law requires the virtue of justice. On MacIntyre's account of the social world this virtue is essential because social life can never be

reduced to rule governed behaviour - fortuna is ineliminable¹⁵ - and therefore justice can never be dispensed mechanically. This scheme also requires as its counterpart an account of practical rationality, in terms of which it can be defended as the most rational available, an account provided in Whose Justice, Which Rationality? (1988).

For MacIntyre then, the primary context for the development of virtues are "practices", of which he offers his own definition:

By a 'practice' I am going to mean any coherent and complex form of socially established human activity through which goods internal to that form of activity are realised in the course of trying to achieve those standards of excellence which are appropriate to, and partially constitutive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended. (1985 p. 187).

Thus practices are complex social activities involving technical skills which systematically realise and develop goods internal to the activity. MacIntyre gives examples as diverse as chess, football and natural sciences, arguing that creating and sustaining human communities ("households, cities, nations" 1985, p. 188) was widely understood as a practice in the ancient and medieval worlds.

An important point for MacIntyre is that practices embody internal goods, excellence in a practice is pursued for its own sake; for the pleasure or satisfaction derived from the practice itself rather than any external form of reward. By contrast external goods lie beyond and bear no intrinsic relation to an activity, such as working to earn money or performing to attract praise. For MacIntyre modernity is dominated by external goods, which are corrosive of practices; thus football and opera have become multi-million pound businesses, creating tremendous pressures on participants to divert attention from internal to external goods; the same could be said of the increased administrative burdens on teachers or health professionals.

However, although practices are prone to corrosion by systems developed to serve the interests of external goods, they possess a resistance in so far as they retain their conceptions of internal goods. Thus while emphasis on external goods may lead to professional fouls in football and drug-taking in athletics, notions of fair play and standards of excellence intrinsic to those sports persist. MacIntyre does not deny the validity of external goods altogether, indeed he accepts the vital role they play in maintaining institutions necessary to sustain

¹⁵ MacIntyre's objections to positivist social science are outlined in After Virtue Chapter 8, where he develops Machiavelli's account of the nature of predication and generalisation in social life in contrast to the Enlightenment's, and which begin from Machiavelli's invocation of "*Fortuna*, bitch-goddess of unpredictability; we cannot dethrone her" (1985 p. 93).

practices (1985 p. 196). But it is when external goods predominate that practices are corroded, and, as we shall see, virtues collapse.

In so far as practices are pursued for their own sake, for the love of playing football, singing or researching quantum theory, they resist reduction to the utilitarian calculus characteristic of modernity, to a cost-benefit analysis which must assume a universal currency. And yet precisely that self-containedness, that focus on internal goods, is at the same time a weakness in the face of the universalising ambitions of modern forms. For such practices too readily become isolated areas of expertise within the complexity of modern societies. At 1.13 above Bauman's adiaphorization account of the Holocaust was illustrated by quoting material which showed how engineers working on the construction of the machinery of the 'Final Solution' were insulated from the facing the moral consequences of their actions both by a neutralising technical vocabulary and a complex division of labour. Both insulating devices were identified as characteristic of modernity. The challenge for MacIntyre is to respond to the way in which strong commitment to an internal good - in this case excellence in technical problem-solving - did not produce resistance to, indeed led to co-option in the process of, genocide.

Part of the Aristotelian conception of the goods for which practices are pursued, is that goods are never pursued entirely for their own sake, but rather each good is pursued for the sake of another good, and so on, so that all goods are arranged within a hierarchy the summit of which would be *the* good (MacIntyre 1967a p. 59). It is this teleological dimension of the entire Aristotelian scheme which the 'bottom-up' account of practices given thus far omits, and it is this dimension which means that MacIntyre's scheme needs to be understood as linked teleologically to a hierarchy of goods. MacIntyre's scheme may therefore be represented thus:

practices - virtues - unity of an individual life - moral community - tradition of enquiry

MacIntyre develops this point in Whose Justice? Which Rationality? in discussing Aristotle's account of practical rationality (1988 pp. 134-6). He points out that Aristotle does not attempt to specify what the supreme good is, or to choose between the various candidates available to him; rather what is important is the assumption of a supreme good as the telos of ethical life; indeed of life as a whole. Basing an ethics on an unspecified telos may seem unreasonable, but MacIntyre invites us to consider the parallel of modern natural science:

From a standpoint outside of any established scientific community, on the basis of data uncharacterised in terms of any established theory, there are and can be no sufficiently good reasons to suppose in respect of any particular subject matter of enquiry, let alone in respect of nature as such, that there is one true fundamental explanatory theory. Only for the inhabitants of such a community, who possess some established theory or sets of theories and who have so far characterised the data in terms of them, can the question be put: In the light of the norms of evaluation which we now possess, which of the presently competing overall theories is the best, or can we conceive of a better? That there is a true

theory to be found is a presupposition of the ongoing activity of the scientific community; that there is a supreme good for human beings is a presupposition of the ongoing activity of the *polis*. (1988 p. 134)

Thus MacIntyre argues that an unfounded assumption of underlying unity can support a rational ethics, just as it underpins a rational science. As we have already seen, this assumption does not lead MacIntyre to deny the importance of conflict in the life of the individual and in social life as it does Aristotle, both because *fortuna* is ineliminable, (although we can learn to moderate its effects), and because without the perspective of eternity we cannot see the resolution of apparently incommensurable goods, so tragedy is also ineliminable. But it does mean that within each practice there is referral to a greater good than the good of the practice, and hence to other elements of MacIntyre's moral scheme as a defence against the vicious ends to which practices may be put. These other elements will now be considered.

4.4 Virtues

MacIntyre initially defines virtue as:

an acquired human quality the possession and exercise of which tends to enable us to achieve those goods which are internal to practices and the lack of which effectively presents us from achieving any such goods. (1985 p. 191)

Thus virtues refer to certain learned consistencies of attitude or behaviour which enable the achievement of goods internal to practices: MacIntyre cites justice, courage and honesty as examples (1985 p. 191). However, rather than floating above particular practices in the Enlightenment sense where they function to tame the passions, virtues have a teleological educative role and are acquired through the exercise of practices. In particular it is the discipline exercised in developing mastery of particular practices which develops the virtues:

goods can only be achieved by subordinating ourselves within the practice in our relationship to other practitioners. We have to recognise what is due to whom; we have to be prepared to take whatever self-endangering risks are demanded along the way; and we have to be prepared to listen carefully to what we are told about our inadequacies and to reply with the same carefulness for the facts. In other words we have to accept as necessary components of any practice with internal goods and standards of excellence the virtues of justice, courage and honesty. (1985 p. 191)

It seems here that MacIntyre is arguing that these virtues will simply arise through participation in practices, an interpretation which he confirms when he writes that, "the virtues need initially to be defined and explained with reference to a practice" (1985 p. 200). However, virtues are not reducible to practices, and can provide the basis for criticism and hence improvement of practices. Thus the interaction between practices and virtues can be described as a 'virtuous circle': social practices develop which require the maintenance of virtues to sustain them, virtues which in turn enable critical reflection on the practice, and so

on. This explanation fits MacIntyre's account of the development of virtues from heroic societies, where they are indistinguishable from social roles, to more complex societies such as the Aristotelian polis, where they attain a critical independence from social roles and particular practices. Thus virtues, though contingent on, are not reducible to practices.

However, none of this removes a significant difficulty raised by the gas van example. MacIntyre's theory places the genesis of moral discourse in practices remote from the mainstream of modern forms of life. What resources does such a theory which have for overcoming the numbing of moral instincts caused by entanglement in the complex causal networks central to those forms of life? For while MacIntyre's account is suggestive of an interesting relationship between embeddedness and the development of general standards of integrity, in a society where practices persist only in compromised form and on a small scale, divorced from the major institutions and dominant discourses, there seem to be little grounds for optimism that virtues could develop from practices in ways which could have any serious impact on society. Indeed, MacIntyre himself seems to endorse this conclusion when he writes:

the tradition of the virtues is at variance with central features of the modern economic order and especially its individualism, its acquisitiveness and the elevation of the values of the market to a central social place. ... it also involves a rejection of the modern political order. (1985 pp. 254-5)

Hence his turn to small communities, as survivals of communal practice consistent with a tradition of the virtues, and as potential sites for its regeneration. In particular in an American context he mentions some Orthodox Christians and Jews, Irish Catholics, and black and white Protestant groups from America's South (1985 p. 252). In a UK context one might suggest he could have pointed to certain communities of New Commonwealth heritage, including Muslims, Sikhs, Hindus and Afro-Caribbean Christians. But what of the public arena? His model of the development of virtues seems possible only within small, relatively homogenous communities, and he appears to confirm this in the conclusion to After Virtue:

What matters at this stage is the construction of local forms of community within which civility and the intellectual and moral life can be sustained through the new dark ages which are already upon us. ... We are waiting not for Godot, but for another - doubtless very different - St. Benedict (1985, p. 263).

Yet for all this pessimism about modern moral life, MacIntyre does point to ways other than social isolation by which virtue-based ethics can resist being undermined by modernity. He acknowledges that a moral structure defined solely by practices and virtues would be "pervaded ...by too many conflicts and by too much arbitrariness" (1985 p. 201). Hence, as we have already seen with practices, the teleology implicit in an Aristotelian account of goods suggests that the virtues need embedding in wider contexts. Hence MacIntyre's second

definition of virtue makes both this teleological component and the need for virtues of community-building explicit:

The virtues are therefore to be understood as those dispositions which will not only sustain practices and enable us to achieve the goods internal to practices, but which will also sustain us in the relevant kind of quest for the good, by enabling us to overcome the harms, dangers, temptations and distractions which we encounter, and which will furnish us with increasing self knowledge and increasing knowledge of the good. The catalogue of virtues will therefore include the virtues required to sustain the kinds of households and the kinds of political communities in which men and women can seek for the good together and the virtues necessary for philosophical enquiry about the character of the good. (1985 p. 219)

The first of the wider contexts within which practices and virtues need to be embedded is the unity of an individual life. MacIntyre emphasises the way in which common-sense understandings of personal identity - in contrast to atomistic social scientific accounts such as Goffman's frame analysis - presuppose such a unity, the unity of a narrative quest (1985 pp. 218-9). This narrative can in turn only be understood with reference to broader cultural narratives; hence MacIntyre's objection to liberal individualism, cited at 3.5 above. A rejoinder to his position at this point might be to object that such cultural narratives may be evil; an Afrikaner narrative, modelled on that of ancient Israel, supported apartheid, while Nazism, through *völkische* ideology, sustained a powerful narrative (Shanks 1995 p. 51). Yet MacIntyre insists that the inescapability of embeddedness in cultural narratives does not mean that the individual is unable to criticise them:

...the fact that the self has to find its identity in and through its membership in communities such as those of the family, the neighbourhood, the city and the tribe does not entail that the self has to accept the moral *limitations* of those forms of community. Without those particularities to begin from there would never be anywhere to begin; but it is in moving forward from particularity that the search for the good, the universal, begins. (1985 p. 221)

Each moral community can itself be understood as part of a historical narrative, which is where the fifth level of virtue-based moral structure, tradition, comes in.

4.5 Traditions of Enquiry

At 1.6 MacIntyre's concept of tradition was introduced in the context of social scientific ways of representing minority communities and community relations. By contrast with theories which focus all attention on the prejudicial pressure exerted by majorities against minorities, (a vital but one-sided approach), 'tradition' seemed to provide a way of analysing minority groups which enables consideration of their creative responses to prejudice, one which is able to represent the integrity of their cultural heritages. Thus 'tradition' stood in contrast with the restricted sense of 'culture' often operative in 'multicultural' theories and practices (Hulmes

1989, Newbiggin in Hull 1981). At that stage, the understanding of tradition proposed seemed extremely broad, coinciding with Shils' argument that:

Traditionality is compatible with almost any substantive content. All accomplishments of the human mind, all patterns of belief or modes of thinking, all achieved patterns of social relationships, all technical practices and physical artefacts or natural objects are susceptible to the process of transmission; each is capable of becoming a tradition. (Shils 1981 p. 16)

However, such a broad interpretation of tradition may not be compatible with MacIntyre's argument as outlined in this chapter. In particular, can liberalism be considered a tradition in MacIntyre's sense? This section will consider MacIntyre's concept of tradition in further depth, and attempt to answer this question. MacIntyre uses 'tradition' differently to both liberals and conservatives since the Enlightenment. Both of these have tended to contrast tradition with reason, whereas for MacIntyre reason is always embedded in a tradition of enquiry, or lapses into incoherence. Thus MacIntyre sees tradition as "an historically extended, socially embodied argument" (1985 p. 222). Tradition is not immune to self-criticism but partly constituted through it.

By contrast with liberal versions of minority rights, a model of a plural society as constituted by traditions in interaction does not presuppose an autonomous individual disembedded from community and culture (Rawls), nor advocate or assume the liberalisation of the minority communities (Raz, Kymlicka). Rather change internal to a tradition is understood to be driven by recognition by members of that tradition of the inadequacy of existing practices or concepts to sustain or extend the goods which shape that tradition, and is achieved by the reformulation of tradition. Thus 'tradition' provides a way of understanding cultures in interaction and transition which respects the autonomy of each cultural tradition.

However, this account of tradition remains too simplistic; to become more adequate, an account of the development of MacIntyre's use of the term is needed. Only then may its application as a basis for understanding inter-cultural exchange in plural secularised societies become convincing.

MacIntyre's use of the term appears to vary throughout his corpus, at least sufficiently to cause some confusion amongst his readers. This is particularly so in his application of the term to Western thought. Thus in a paper published in 1977 he appears to see modern Western thought as part of a single, albeit complex tradition (p. 461). In After Virtue however, he sees it as a collection of fragments left over from older, incommensurable traditions. In Whose Justice? Which Rationality? it has been claimed that liberalism is treated as a single tradition in apparent contrast to After Virtue (Mulhall 1994 p. 220), while in Three Rival Versions of Moral Enquiry (1991) at least two different uses have been discerned. In the latter work the dilemmas of contemporary moral enquiry are seen in the

mirror of the three mid to late nineteenth century types; the Thomism of Jesuits such as Kleutgen and Cornoldi, liberalism as represented by the ninth edition of the Encyclopaedia Britannica, and the subversive postfoundationalism of Nietzsche (1991 Chs 2-4). 'Tradition' seems at times to apply only to Thomism, but at other junctures to embrace the rival versions of moral enquiry. Thus Horton and Mendus comment:

...there is...a tendency to run together tradition with Thomism such that the two become co-extensive. Yet surely Thomism is a particular tradition, and commitment to it entails much more than simply commitment to the idea of tradition? Similarly the other versions of moral enquiry are sometimes counterposed to tradition while at other times they seem to be understood as distinct alternative traditions. (Horton and Mendus 1994 p. 13)

However, this confusion can be removed when it is realised that MacIntyre has used tradition in two basic senses, the first sense of which refers to a broad cultural and historical context, the second more specifically to a tradition of intellectual enquiry. In a recent paper (1994) MacIntyre explicitly makes this distinction in response to two of his critics:

Mason failed to take account of the different characteristics ascribed on the one hand to traditions of enquiry, within which, so long as they are in good order, there are shared standards, and on the other hand to those larger social and cultural traditions within which traditions of enquiry are embedded and to which they stand in varying relationships. Mulhall supposed that in taking note of the fact that liberalism, originally the critic of all appeals to tradition has itself become a tradition,¹⁶ and that some liberal theorists have become aware of this, I was now ascribing to liberalism the kind of coherence characteristic of a flourishing tradition of enquiry, whereas what I was recognising was that liberalism has become the kind of social and cultural tradition in which incoherence may be, and in the case of liberalism is, at home. (1994 pp. 292-3)

Traditions of enquiry, then, are such that 'shared standards' can be appealed to in the course of argument, while liberalism is by contrast a "set of agreements to disagree" (1994 p. 292). Traditions of enquiry, if they are healthy, are also characterised by conflict, unlike the Burkean understanding of tradition which contrasts the stability of tradition with conflict:

Traditions, when vital, embody continuities of conflict. Indeed when a tradition becomes Burkean, it is always dying or dead. (1985 p. 222)

However, the conflict is fundamentally different to liberal conflict, because it is contained not by agreement to disagree but by shared standards of rationality. To understand the relation between rationality and tradition it is important to consider MacIntyre's argument in Whose Justice? Which Rationality?, and it is to this text that we therefore turn.

In After Virtue MacIntyre recognised the need to provide an account of practical rationality as a necessary counterpart to his account of virtue (1985 p. 260), in order to account for the

¹⁶ i.e. liberalism has become a tradition in the sense that it is appealed to as an authority because of its historical standing.

"rival and incompatible evaluations of the arguments" presented there (1988 p. ix). Such an account of the reasons for the existence and failure of alternatives is a necessary condition for the rational vindication of a tradition of enquiry (1988 p. 362). However, in the intervening period he discovered that accounts of practical rationality are so closely tied to accounts of justice that the history of each required the history of the other (1988 p. ix). The result was Whose Justice? Which Rationality? (1988).

In contrast to After Virtue,¹⁷ MacIntyre opts for a straightforward chronological approach in Whose Justice? Which Rationality?, tracing the history of conceptions of justice and practical rationality over territory partly familiar to readers of After Virtue, from Homer's heroic society to urban Athens, from Plato to Aristotle and on this time to Augustine, to Aquinas (who now becomes a major figure), then seventeenth century Scotland and Hutcheson, Hume and contemporary liberalism via the efforts of Reid and Stewart. At this point a vindication of the practical rationality of traditions of enquiry against both Enlightenment and Nietzschean versions of practical rationality is mounted (Ch. 18), a project continued across a wider range of moral enquiry in Three Rival Versions of Moral Enquiry (1991). In Chapter 19 he considers the importance of language to tradition, emphasising the limits of translation into global languages and the processes involved in acquiring a 'second first language', while in Chapter 20 he suggests how those living among the fragments of tradition in modernity might go about finding themselves a living tradition, and expresses his own preference for the Thomistic tradition of enquiry, as an as yet undefeated version of Aristotelianism.

Chapter 18 is of particular importance, because there he vindicates the rationality of traditions against relativistic and perspectivist challenges, and lays out his model of traditions in interaction. It is this model which I argue can provide a basis for re-thinking multiculturalism. In fact, the argument presented here is largely anticipated in his 1977 paper on 'epistemological crises'. Furthermore, MacIntyre acknowledges that this argument does not depend upon the specifics of the history recounted in Whose Justice? Which Rationality? when he states that the argument is developed from presuppositions embedded in the practices of traditions of enquiry rather than actually being advanced within any of them.¹⁸ So the scientific traditions of enquiry of the earlier paper serve as material from which to develop the argument quite as well as the traditions of justice and practical rationality discussed in Whose Justice? Which Rationality?, so long as they fulfil the criteria of traditions of enquiry.

¹⁷The narrative of After Virtue might have been more straightforward if it had begun with the history of the virtues in the pre-modern period (Chs. 10-13), followed this with the subsequent history of the abandonment of the Aristotelian scheme in modernity (Chs. 4-6), examined the philosophical and social consequences of this (Chs. 16, 17, 2,3,7,8,) culminating in the choice of "Nietzsche or Aristotle?" (Ch. 9), and laid out a revised Aristotelian alternative (Chs. 14-15, 18).

¹⁸"Notice that the grounds for an answer to relativism and perspectivism are to be found, not in any theory of rationality as yet explicitly articulated and advanced within one or more of the traditions those enquiry-bearing traditions, but rather with a theory embodied and presupposed by their practices of enquiry, yet never fully spelt out, although adumbrations of it, or parts of it, are to be found in various writers, and more especially in Newman" (1988 p. 354).

Therefore it is not strictly necessary to follow the history recounted in Whose Justice? Which Rationality? in order to present MacIntyre's argument for the rationality of traditions or his account of traditions in interaction. The status of this argument also means that it applies not just to traditions which MacIntyre happens to consider, but to any tradition which qualifies as a tradition of enquiry, an important point when considering applying claims generated by the argument to non-western traditions. Nonetheless, it will be useful to consider MacIntyre's account of the relationship between practical rationality and justice in Western thought, in order to gain a fuller picture of the contrast which he develops between modern and Aristotelian modes of thought, and a further insight into the development of the Aristotelian tradition on whose revival he pins so much hope.

Practical rationality refers to the kind of reasoning which issues in action, or in modern versions 'may contribute to action' would be better, since the Aristotelian connection between reason and deed has by this stage been broken. MacIntyre distinguishes two use of dikaiosune ('justice') in Aristotle; firstly the distributive sense, consisting of "the exercise of all the virtues by each citizen in his relationship to other citizens" (1985 p. 103), and secondly corrective, in the sense of the attempt to restore breaches of the just order by individuals failing in the exercise of justice in the first sense.

Contrary to most commentators, MacIntyre argues that Aristotle's account of practical rationality cannot be understood without his account of justice (1985 p. 103), and both presuppose the exercise of the virtues. The connection between the three virtues is well illustrated in the following passage:

Education into the virtues involves the mastery, the disciplining, and the transformation of desires and feelings. This education enables one to exercise the virtues so that one not only values each of the virtues for its own sake, but understands the exercise of the virtues as also being for the sake of ...enjoying that kind of life which constitutes the best life for human beings. And the knowledge which enables one to understand why this kind of life is in fact the best is only to be had as a result of having become a virtuous person. But without this knowledge rational judgement and rational action are impossible. To be uneducated in the virtues is precisely to be unable as yet to judge rightly what is good or best for oneself. (1988 pp. 109-110)

The relations envisaged here are precisely the opposite of the modern liberal conception of those between practical rationality, justice and the self exemplified in Rawls' device the 'Original Position' (above, 3.2). For Rawls the occupant of the Original Position can choose justly and rationally precisely because he or she is free of any social relations, whereas for Aristotle the ability to choose rationally and justly depends on being embedded in particular social relations.

The contrast between modern and Aristotelian accounts also shows up in other comparisons.

Unlike some modern accounts in which reason and desire act antagonistically, for Aristotle the virtues serve to educate desire, producing rational desire (prohairesis). To act rationally is to be able to correctly characterise a situation, to identify the good in a situation in relation to a hierarchy of goods, to identify the action necessary to achieve that good, and to do it (1988 pp. 125-6). For each of these procedures the virtue of practical intelligence (phronesis) is necessary (1988 p. 126); and here another contrast to modernity, at least in some versions, emerges; innocence, as a lack of knowledge, can be no virtue. For Aristotle the outcome of a practical syllogism is action (1988 p. 135), again differing from most modern accounts of practical rationality in which no action may equally be the outcome.¹⁹ The idea that no chain of reasoning is ever sufficiently compelling as to require a particular action is so prevalent in modern moral philosophy that MacIntyre is forced to find a modern analogy in a quite different field of modern life - characteristically a game - in order to express the force of a practical reasoning on an Aristotelian scheme:

A hockey player in the closing seconds of a crucial game has an opportunity to pass to another member of his or her team better placed to score a needed goal. Necessarily, we may say, if he or she has perceived and judged the situation accurately, he or she must immediately pass. What is the force of this "necessarily" and this "must"? ... we recognise the necessity and immediacy of rational action by someone inhabiting a structured role in a context in which the goods of some systematic form of practice are unambiguously ordered. And in doing so we apply to one part of our social life a conception which Aristotle applies to rational life as such. (1988 pp. 140-141)

Thus much of Whose Justice? Which Rationality? is taken up narrating the Western tradition's journey from Aristotle's conceptions of justice and practical rationality to modern liberalism's, providing a complementary narrative to the fate of the virtues in After Virtue.

The social context within which eudaimonia, "the conception of a single albeit perhaps complex supreme good [which] is central to Aristotle's account of practical rationality" (1988 p. 133) is worked out is greatly extended by Augustine, from the Greek city (polis) to the eternal City of God (Civitas Dei). The latter city not only transcends death, but excludes no one, "neither Jew nor Gentile, slave nor free, male nor female" (Gal. 3 :28). Furthermore, these claims stand in a different historical narrative to that of Aristotle, one with its own sense of history: the Judeo-Christian tradition which MacIntyre traces from the Deuteronomist to Gregory VII (1988 p. 150-163). Augustine's catalogue of virtues also differ from Aristotle's, particularly in the inclusion of humility and charity which are held to be prerequisites of justice, and in conceiving of justice as fundamentally a matter of the relation of the soul to God, the lawgiver. But Augustine's major innovation is his invention or discovery of the 'will' (voluntas). Whereas for Aristotle reason is its own motivation, for Augustine the will is necessary prior to reason:

¹⁹In MacIntyre's view such inaction may be justified within a modern frame of reference (1985 p. 341); the reasons for this will be considered when the modern conception of practical rationality is examined below.

The human will is ... the ultimate determinant of human action, and the human will is systematically misdirected in such a way that it is not within its own power to redirect itself. (1988 p. 157)

This systematic misdirection is, for Augustine, the result of the Fall (Gen. 3), and specifically Adam's choice of love of self rather than love of God which effects all humanity, such that only grace can intervene.

Augustine's creative synthesis of neo-Platonism with the Biblical tradition, while rejected in Eastern Christianity (Küng 1994 p. 71), was dominant in the West until the thirteenth century when new translations of Aristotle began to become available from the Islamic world. At this juncture it was, MacIntyre argues, Aquinas' achievement to synthesise Aristotelianism with Augustinianism, although his achievement was largely unrecognised by his successors (1988 p. 207). As far as justice and practical rationality are concerned, the nub of the problem facing Aquinas is that for Aristotle practical rationality follows only from moral education, yet for Augustine, following Paul, even those lacking such education have sufficient knowledge of God's law to stand condemned.²⁰

Aquinas' solution had been partly anticipated in commentaries on Jerome's interpretation of the story of Cain (Gen. 4), where a distinction was made between synderesis, knowledge of good and evil which cannot be eradicated, and conscientia, such knowledge which can (MacIntyre 1988 p. 184). Thus in the context of conflicting Augustinian and Aristotelian traditions, Aquinas argued that the ineradicable synderesis provides the basis for condemnation, while conscientia is fallible and stands in need of education. Other elements of synthesis followed; in translating prohairesis ('rational desire') with electio Aquinas imports the notion of voluntas (will) (1988 pp. 188-90); Aristotle's telos (end) of eudaimonia (human flourishing) is extended beyond contemplation, which was always situated within the polis, to the contemplation of God in the beatific vision (1988 p. 192); justice (iustitia) now has its foundation not in the good ordering of the polis but in the being of God (1988 p. 198).

In spite of these changes, Aquinas retained the basic structure of Aristotelian practical rationality, while enabling a scheme whose moral terms of reference had been the polis with its restrictive citizenship to be extended to all humanity; indeed, to the entire cosmos. Thus where Aristotle rejects the morality of non-Greeks as that of barbarians incapable by nature of political life, Aquinas sees in synderesis a basis for condemnation, salvation and moral education.

²⁰For example, Paul writes in Romans: "Ever since the creation of the world his invisible nature, namely his eternal power and deity, has clearly been perceived in the things that have been made. Therefore they are without excuse; for although they knew God they did not honour him as God or give thanks to him, but they became futile in their thinking and their senseless minds were darkened" (Rom. 1: 20-1).

Two further features of MacIntyre's account of Aquinas may be noted. First, the openness of the *Summa Theologiae*, in the sense that its structure presupposes that the arguments which it considers may always be continued in unpredicted ways:

Every article in the *Summa* poses a question whose answer depends upon the outcome of an essentially uncompleted debate. For the set of often disparate and heterogenous arguments against whatever position Aquinas' enquires have so far led him to accept is always open to addition by some as yet unforeseen argument. And there is no way, therefore, of ruling out in advance the possibility that what has so far been accepted may yet have to be modified or even rejected. (1988 pp. 171-2)

This feature of dialectic is common to Aristotle and Aquinas, and is important in MacIntyre's conception of a tradition of enquiry. Secondly, MacIntyre argues that Aquinas' account of justice is unique in the range of topics which he considers (1988 p. 202). MacIntyre stresses features which are in conflict with liberal modernity: the incompatibility of a state ordered to educate people into virtue with the modern proceduralist state contingent on a distinction between the right and the good (1988 p. 200-1); the subjection of secular to sacred power (i.e. the Pope, p. 201); the limitation of the ownership of private property by human need (p. 199).

However, Aquinas' successors failed to build on his achievement, such that when the Aristotelianism of the Scottish university establishment in the eighteenth century faced Hume's sceptical challenge, it was unable to respond effectively. For Hume, by stark contrast with Aristotle, "reason is practically inert. It cannot by its very nature move us to action" (1988 p. 285). In considering *After Virtue* we have already seen MacIntyre's reasons for this; Calvin's radicalising of Augustine's account of bad will, the emphasis on reason as purely calculative and the rejection of Aristotelian theories of causality in the natural sciences. The result is that Hume builds his account of practical rationality, of the genesis of action, on the passions. The passions also occupy a central place in Hume's account in another sense: Hume, like other Enlightenment thinkers, follows the 'way of ideas', which attempts to start thinking afresh from internal and external observation. Such a method is fundamentally antagonistic to recognising its debt to any form of tradition:

...the way of ideas by its very nature excluded acknowledgement of fundamental intellectual indebtedness to philosophical writing. All the materials for the particular author's account of perception, thought knowledge, the passions, the will, and the beliefs giving expression to these have to be drawn, whether the particular author's version of the way of ideas is Cartesian or empiricist, from the stock of ideas presented to and in the consciousness of one single individual mind, that of the author. (1988 p. 290)

How is it possible to move from such a solipsistic method to any account of consistent personal identity or social relations necessary for an account of moral responsibility? Again, Hume's answer is his account of the passions. For Hume, some passions differ from the raw

data of sense impressions in having an inner directedness, an innate idea crucial for the genesis of action:

Those passions in which an idea is an essential component of the passion Hume calls the indirect passions, and it is these which play a central part in generating those actions which constitute the exchanges and transactions of social life. (1988 p. 292)

The passions of pride and humility play a central role in organising our responses to others; we seek that which elicits admiration in others enabling the maintenance of pride, and to avoid that which elicits disapproval. Humility here seems to be more like humiliation than the Christian virtue.²¹ The maintenance of self-esteem as the goal of social life would seem an appropriate translation in contemporary idiom. Moral life thus becomes a matter of the regulation of intentional passions through reciprocal social relations. On this account, reason can only ask questions as directed by the passions (1988 p. 305). There is nothing natural about justice, rather this a necessary artifice to ensure the stability of society, generated by our displeasure at our own suffering and an "uneasiness" at that of others (1988 pp. 309-10).

As will be evident from this account, Hume anticipates many of the features of modern liberalism. Yet MacIntyre regards Hume's work as part of a tradition of enquiry in a sense that he denies to modern liberalism. Why is this? MacIntyre argues that Hume continues to presuppose a particular kind of social background to identify the self in his account of practical reasoning, in particular a background in which arenas of public choice still function as places of debate concerning agreed or rival conceptions of the good, rather than as forums for bargaining between individual preferences (1988 p. 338).²² The demise of public reason reduces the primary premise of a practical syllogism to a bald expression of personal preference. The structure of a practical reasoning thus becomes:

From the initial premise of the form 'I want it to be the case that such and such' the reasoner must move to answer the question about how what he or she wants may be attained by action and which of the available alternative courses of action is preferable. But the conjunction of the initial premise ... and the secondary premise or premises obtained by answering this question will not of itself necessarily yield the conclusion as to what the reasoner should do. For it may well be that the course of action thus decided upon would ... frustrate some other want of the reasoner. Hence an additional premise is required for any sound practical argument in which the initial premise is an expression of preference, and the following form of the set of required preferences emerges: 'I want it to be the case that such and such; Doing so and so will enable me to achieve its being the case that such and such; There is no other way of so enabling me which I prefer [the new premise]; Doing so and so will not frustrate any equal or stronger preference. (1988 pp. 339-340)

²¹For a fuller account of the Christian virtue of humility, and to contrast it with antique and modern uses, see Wengst (1988).

²²For a fuller account of this transformation see Habermas' The Structural Transformation of the Public Sphere (1989), a discussion of which is presented at 1.12 above.

The result is that the connection between premises and action is far looser than on any of the previous accounts considered from Aristotle to Hume; indeed MacIntyre accepts Audi's contention that a practical judgement rather than an action is complete as a conclusion to this form of practical reasoning:

The range of possible intervening considerations which may interpose themselves between practical judgement and action is at once too large and too indeterminate for there to be even an appearance of unintelligibility when practical reasoning produces no further outcome. (1988 p. 341).

This indeterminacy is the basis for MacIntyre's claim that liberalism lacks the coherence to constitute a tradition of enquiry, but instead continues only as a set of agreements to disagree within which no progress is possible. This means that for a model of cultural exchange as traditions in interaction, liberalism cannot register as a tradition. Only if there are strands within liberalism which enable more determinate forms of practical reason can liberalism be considered more than an arbitrary cage for the containment of difference.

Thus we return to MacIntyre's proposed alternative, the tradition of enquiry, of which those stemming from Aristotle, Augustine, Aquinas and Hume have received some consideration. As was stated above, the argument of Chapter 18 of Whose Justice? Which Rationality? for the rationality of traditions of enquiry is largely anticipated in the 1977 paper "Epistemological Crises, Dramatic Narrative and the Philosophy of Science", so my account here will make reference to both sources.

MacIntyre proposes three recurrent phases in the normal life of a tradition (1988 p. 355). In the first, stable, phase the tradition is sustained without major challenges, (though remember that healthy tradition is always partially constituted by debate about the particular goods which give the tradition its purpose). The second phase is characterised by crisis; challenges internal or external to the tradition threaten its coherence and viability, established authorities are called into question - this is called an "epistemological crisis" (1977 p. 455). The third phase is resolution of the crisis, which is achieved by satisfying three criteria (1988 p. 362). The reformulated tradition must: (i) be able to explain the reason for the crisis, (ii) show how it has resolved the conflict which caused the crisis, and (iii) demonstrate that it can do this while retaining substantive continuity with the original tradition: "[s]ome core of shared belief, constitutive of allegiance to the tradition, must survive the rupture" (1988 p. 356). An explanation or insight (or other cultural product) originating outside the tradition may become part of the transformed tradition as part of the process of resolving an epistemological crisis.

MacIntyre stresses the difference between this account of a tradition of enquiry and Cartesian or Hegelian accounts:

Traditions fail the Cartesian test of beginning from unassailable evident truths; not only do they begin from contingent positivity, but each begins from a point different to that of the others. Traditions also fail the Hegelian test of showing that their goal is some final rational state which they share with all movements of thought. (1988 p. 361)

This admission, he concedes, exposes his account of traditions of enquiry to relativist and perspectivist critiques, which he defines as follows:

The relativist challenge rests upon a denial that rational debate between and rational choice among rival traditions is possible; the perspectivist challenge puts in question the possibility of making truth-claims from within any one tradition. (1988 p. 352)

These challenges are seen as the product of reaction to the Enlightenment's view of rationality, that is "one in which truth is guaranteed by rational method and rational method appeals to principles undeniable by any fully reflective person" (1988 p. 353). MacIntyre makes his response to such challenges by returning his concept of the epistemological crisis.

4.6 Epistemological Crises and Traditions in Interaction

As we have seen, MacIntyre proposes that traditions develop in particular historical circumstances, and that therefore the practical rationalities that they develop in response to particular needs do not conform to some common extra traditional standards, although common principles of logic apply in each case.²³ However, when two historical traditions interact, it is possible that participants in the two different traditions can come to recognise that participants in the other tradition are reflecting on the same issues, defining 'the same' not by some external, universal standard, but by standards internal to the tradition in which the participant already stands (1988 p. 358).

MacIntyre's model cannot guarantee resolution between traditions, for it offers no standard external to particular traditions to which to appeal. Such standards can, we have already seen, always be exposed as some particular standard writ large. But, unlike the radical incommensurability of most postmodern positions which abandon public space, MacIntyre provides a way of making sense of interactions between traditions. Such sense is not guaranteed, but MacIntyre shows us how it can happen.

Interaction between traditions occurs by a process of 'translation'; a process MacIntyre describes as learning 'a second first language' (1988 pp. 370-387). Such a process does not

²³ We have already seen him argue that logic is cross-culturally constant in "Rationality and the Explanation of Action" (1971). He affirms this position in Whose Justice? Which Rationality?:

All the traditions with which we have been concerned agree in according a certain authority to logic both in their theory and in their practice. Were it not so, their adherents would be unable to disagree in the way in which they do. (1988 p. 351)

presuppose a common reality to which we can have direct access; rather the only realities to which we can have access are tradition embodied languages. The language of each tradition cannot be understood by an outsider except by coming to grasp the grammar of that language, a grammar not reducible to linguistic rules, but constructed in relation to the totality of the culture of the tradition.

On such a model it is possible for participants in traditions which begin with quite different practical rationalities - incommensurable foundations - to come to recognise that another tradition is not only addressing common issues, but may be able to propose solutions to problems not available within their own tradition:

When they have understood the beliefs of the alien tradition they may find themselves compelled to recognise that within this tradition it is possible to construct from the concepts and theories peculiar to it what they were unable to provide from within their own conceptual and theoretical resources, a cogent and illuminating explanation - cogent and illuminating, that is, by their own standards - of why their own intellectual tradition was unable to solve its own problems or restore its coherence. (1988 p. 364)

In this way traditions may develop commonalities - shared conceptions, shared practices - at certain points, while remaining quite different at other points. Thus this model provides a way of thinking how differences between traditions might be resolved while each tradition retains its integrity; indeed, each tradition retains its integrity precisely by drawing on the resources of another tradition.

The very fact that as a part of this process a tradition must come to recognise the inadequacy of its own position to date, and to accept defeat in respect of truth by another tradition, refutes the relativist and perspectivist challenges, for on their accounts such self-criticism is not possible (1988 pp. 364-5). To this the relativist may reply that it may be possible for traditions to co-exist for long periods without precipitating epistemological crises for one another, such that the relativist account would, under those conditions, be accurate. However, conceding this point does nothing to damage the account of traditions in interaction advanced. Here, MacIntyre's riposte is that relativists must advance their claims from within a particular tradition seems correct, but not entirely relevant (1988 p. 367). The cases in which the relativist argument can be held to apply must in any case, under modern conditions of globalization (1.1), be relatively few.

Anticipating the discussion at 5.8 for a moment, the relativist argument given could not be appropriately used by Muslim governments to resist Western probing on human rights issues, since the vast majority of Muslim countries both incorporate features of Western legal systems from which rights discourse is largely derived and are signatories to the United

Declaration of Human Rights (UDHR),²⁴ as well as there being substantial evidence for grassroots movements supporting human rights (e.g. Dwyer 1991 pp. 159-181), all of which demonstrates that rights discourse has already penetrated Muslim states and societies.

It may seem rather odd to defend human rights in the context of presenting MacIntyre's arguments, given that he describes them as "fictions" (1985 p. 70). However, while the concept of human rights may be a moral fiction in the sense that users of the term imply that such rights are justified by universal rational arguments, this does not mean that the tradition of human rights does not embody genuine moral insights, nor that the discourse of human rights ought not to be used to campaign for just and humane treatment for people within and across cultural and national boundaries. Rather, what I take MacIntyre's critique to imply is that a historicised account of rights in terms of intellectual and moral traditions can better help to promote justice than a dehistoricised, decontextualised account, which can only respond to cultural difference with incomprehension and shrill protest.

MacIntyre responds to perspectivism by criticising its failure to recognise the importance of truth to tradition-constituted enquiry. Traditions are not masks to be worn and discarded:

genuinely to adopt the standpoint of a tradition thereby commits one to its view of what is true and false, and in so committing one, prohibits one from adopting any rival standpoint. Hence the perspectivist could indeed *pretend* to adopt the standpoint of some one particular tradition of enquiry; he or she could not in fact do so. The multiplicity of traditions does not afford a multiplicity of perspectives among which we can move, but a multiplicity of antagonistic commitments, between which only conflict, rational, or non-rational, is possible. (1988 p. 368)

On such an account, the only possible outcome of an encounter between traditions is victory or defeat. Yet we have already seen MacIntyre present a case in which synthesis, rather than victory or defeat is the outcome of encounter: Aquinas' reconciliation of Aristotelianism and Augustinianism. Indeed, it is to this synthesised tradition that he offers his own allegiance. Furthermore, in Chapter 19 on "Tradition and Translation", he describes the process by which one can acquire a 'second first language', and thus enter another tradition from the 'inside', not by transposing the grammar of one's first language, but by being learning a new grammar, with its depth of local and historical reference.²⁵ In addition, in spite of his dismissal of the perspectivist stance, he writes in a positive though qualified way of the benefits of possessing "the concept of an alien culture in [a] secondary mode", in certain contexts:

We possess such concepts without being able to employ them in the first person, except as dramatic impersonators, speaking in a voice which is not our own. But this does not

²⁴ Even Saudi Arabia, which refused to endorse the UDHR and has a legal system which claims to be based solely on Sharia, "has subsequently ratified a number of [the UDHR's] specific conventions" (Mayer 1995 p. 11)

²⁵ MacIntyre's account of translation is considered further at 7.5 below.

mean we cannot understand what it is to be and to believe within another tradition by acts of conceptual imagination in some types of case. (1988 p. 395)

There is here an evident tension in MacIntyre's attitude towards the practice of empathetic but secondary engagement with another tradition. On the one hand he condemns the practice in so far as it is seen to constitute a mode of enquiry sufficient in itself for someone unrooted in a tradition. On the other hand, he recognises that it presents the possibility of acquiring genuine if limited understanding for someone rooted in a tradition, and for someone not rooted in a tradition who recognises nonetheless the limitations of the practice of secondary engagement.

Thus the contours of MacIntyre's project have been outlined, so it is now possible to assess further criticisms which have been made of it, and, positively, how it may contribute to the project of rethinking multiculturalism.

4.7 Criticisms of MacIntyre

Such is the range of history, people and ideas considered throughout MacIntyre's work that he is open to criticism on a huge variety of fronts. His comments on particular figures and topics, especially in After Virtue, are often sketchy and difficult to make sense of without prior knowledge - indeed, he describes even the second edition of After Virtue as a work in progress. When these considerations are combined with the fact that I have, inevitably within the constraints of the thesis, provided only a brief treatment of his work, the number of potential points of criticism becomes vast.

However, here I shall be concerned only with those aspects of MacIntyre's work which are important for this thesis, namely his model of traditions in interaction as a basis for rethinking multiculturalism in modern, plural, secularised societies, an application which itself demands further qualification and explanation, although I hope that the contours of this application have already been made evident. For this, it seems important that his main historical thesis of the failure of the Enlightenment project with its consequences for morality and practical rationality must be defensible. Secondly, in establishing a general model of the rationality of traditions of enquiry MacIntyre's model needs defence from the charge that he has reinvented the Enlightenment project, with its imperialistic implications. Thirdly, moving on to my constructive project, it is necessary to demonstrate that MacIntyre's virtue based theory has some relevance beyond critique in a modern society, such that critique could be translated into action, through the appropriate practical syllogism.

Firstly, then, the historical case. Commenting on After Virtue and Whose Justice? Which Rationality? Robert Wokler writes:

To my mind it is all wonderfully confused, both in method and substance, generally and in detail. (1994 p. 115)

Wokler begins by questioning the idea of a single 'Enlightenment project', given the range of thinkers and movements between the seventeenth and nineteenth centuries connected in MacIntyre's narrative by this phrase. But even granted use of the term, which he also points out was not used by alleged participants in the project themselves, he questions the balance of MacIntyre's presentation, particularly his neglect of the French philosophes (Wokler 1994 p. 116-7).

Again developing his arguments in the French context, Wokler attacks a fundamental aspect of MacIntyre's method, namely the interactions between ethical and societal forms:

The connections between normative principles and social institutions which MacIntyre seeks to draw seem to me elusive and inconsistent. (Wokler 1994 p. 120)

In particular, he asks "why the Enlightenment project should issue in the moral disorder of contemporary culture but not noticeably in the chaos of the French Revolution?" (Wokler 1994 p. 120), for MacIntyre defends the Jacobins as one of the last upholders of the classical tradition of virtues (MacIntyre 1985 p. 243), although they stood in a much more direct relationship to Enlightenment culture than the twentieth century thinkers and social practices which MacIntyre argues have been so profoundly influenced by it. Furthermore, MacIntyre seeks to exonerate the tradition of the virtues from any blame for Jacobin responsibility for the Terror, against accusers such as Berlin and Bell. MacIntyre argues that it was not the tradition itself but a partial recognition of its weakness together with a desperate attempt to impose it politically which led to the Terror (1985 p. 238). But if the virtues are exempt from blame for their political imposition, why in the twentieth century should the philosophy of the Enlightenment be "responsible for conduct of persons unaware that they were endeavouring to put Enlightenment ideas into practice?" (Wokler 1994 p. 120).

There are two questions being asked here. First, why should the Enlightenment Project have such large long distance consequences (in time and culture) when it appears to have had little influence on an event within its own time and culture? Second, why are strong causal links between philosophy and practice invoked in one case and not another?

Each of these criticisms will be considered in turn. First, the unity of the Enlightenment project, and MacIntyre's identification of this with the founding of morality on universal rational principles. For MacIntyre this project was bound to fail because Enlightenment thinkers failed to identify wherein the rationality of morality lay, that is in the teleological ordering of particular moral traditions, in their orientation toward a unified conception of the good. To vindicate this part of MacIntyre's historical thesis it is not strictly necessary to show

that all or indeed any Enlightenment thinkers actually saw themselves as contributing to such a project; although some clearly did, and other important thinkers have endorsed MacIntyre's view of the project (e.g. Gray 1995a pp. 147-151). Rather, it is sufficient to show that the accounts of morality which emerged from this period were in fact devoid of the teleological structure which characterised ethics prior to this period. Both MacIntyre's treatment of liberal thinkers and those presented earlier in the chapter serve to substantiate this point.

This argument also covers the second criticism of MacIntyre's presentation of the Enlightenment as unbalanced; if he has correctly identified the predominant forms of moral thinking before and after this period, and a simple change in the structure of such thinking, that will suffice to maintain his thesis so far. However, this brings us to the third criticism, the relation between "normative principles and social institutions", as Wokler puts it.

Regarding the Jacobin case, it is worth pointing out first that MacIntyre's characterisation of Jacobins as upholders of a tradition of public virtue seems to be uncontroversial, for it is also accepted by those such as Isaiah Berlin and Daniel Bell who disagree with him in their evaluation of the role of that tradition played in the genesis of the Terror. Locating this within MacIntyre's wider analytic framework, it can be said that at that juncture of modernity in France a tradition of the virtues remained a cultural possibility, although a fragile one, as the effects of what Karl Polanyi has called, the "Great Transformation" were not yet fully felt,²⁶ although they were already making an impact. Indeed on MacIntyre's account it was both a perception and denial of this fragility which led to St. Just's excesses (MacIntyre 1985 p. 239). However, MacIntyre insists, the presence of a living tradition of the virtues does not preclude the presence of vice, but rather provides a context within which vice can be recognised as such, as against the confusion of incommensurable moralities which he identifies with modernity.

MacIntyre's answer to why the Enlightenment project can be invoked to explain twentieth century events more powerfully than closer eighteenth century events is the persistence of traditions of the virtues in certain eighteenth century contexts, traditions far rarer and less influential today due to the spreading effects of the Great Transformation. Wokler misunderstands MacIntyre's case if he is reading it as a particular eighteenth century

²⁶ McMylor (1994) has argued that there is a strong connection between Polanyi's account of the disembedding of traditional economic forms from social life under capitalism, and the disembedding of morality from social life since the Enlightenment in MacIntyre's account:

...just as the wide diversity of pre-market economic forms all require some embedding within some wider set of social relations to avoid economics being a narrow means-end relationship of self-interest, so with MacIntyre's account. In order for virtue to be exercised, or even understood, there must be criteria embodied in some shared account of our own context. When such an account collapses, then the moral self is as disembedded as economic relations are in the marketplace. (McMylor 1994 pp. 107-8)

MacIntyre himself invokes Polanyi in his own discussion of the relation between economic and moral forms (1988 p. 211).

philosophical error suddenly manifesting itself in twentieth century history with no apparent causal connections. Rather, MacIntyre shows, if perhaps too sketchily, how the consequences of this error are embodied in powerful institutional forms such as modern bureaucracy and management. Again, it is that these forms have attained cultural significance and that they embody the kind of moral theory MacIntyre associates with the failure of the Enlightenment project which are central to upholding his argument, rather establishing precisely the processes involved in the development of this state of affairs; although without such a history it is true that alternative explanations may be unjustly neglected.

One further point needs to be made about the strength of MacIntyre's historical thesis. As far as I am aware, he doesn't explain the reasons for seventeenth century natural science's rejection of Aristotelianism in any but the barest terms, (in particular considering the relations between Aristotle's science and ethics, and why seventeenth century scientists should have been led to reject Aristotle's ethics as well as his science), other than invoking that other source for the triumph of a calculative understanding of reason, Jansenist and Protestant accounts of the consequences of the Fall. A consideration of this, as well as the reasons for the earlier Reformation rejection of Aristotle, would be helpful.

The second area of MacIntyre's account which needs defence will now be considered: the accusation that in developing a generic account of tradition reason he presents, in spite of himself another version of Enlightenment foundationalism. For example, John Milbank²⁷ has argued that MacIntyre's understanding of resolution between traditions is "pure Hegelianism", and "a new mode of foundationalism" (1990a p. 328). He describes the process as one in which:

perfectly contingent starting points progressively but negatively struggle free of the historical chrysalis and float upwards toward universality. (1990a p. 328)

While MacIntyre sometimes invites this kind of interpretation when he writes of approaching truth through the dialectical process of argument within and between traditions, I do not think it is necessary to interpret his work in this way. The new formulations arrived at by mutual interrogation between traditions can simply be understood as more adequate to the contexts which they address, adequate, that is, in terms of the traditions which constitute that context, and not as closer approximations to some universal truth.

So we turn to the third area, the relevance of MacIntyre's critique of the Enlightenment project to modern Western societies. As regards Thomism, the particular tradition of enquiry with MacIntyre chooses to identify himself, Haldane questions the feasibility of any kind of revival of this tradition given its present influence in Britain:

²⁷ Milbank's work will receive fuller treatment in Chapter 7 below. His criticisms of MacIntyre will be addressed at 7.5.

Indeed in Great Britain I doubt there are sufficient Thomists to constitute a football team (even assuming that age and infirmity were not disqualifications) (1994 p. 100)

However, my proposal does not depend upon a revival of Thomism. Rather, it is concerned with identifying a range of traditions and practices which might be seen to promote virtues. Various religious communities might be identified as traditions of this kind, including those of the New Commonwealth immigrant groups. Indeed, there is evidence that members of a number of these groups are attempting to build virtuous communities within but distinct from the secular mainstream, for example in the field of education where there are growing numbers of private supplementary and full-time schools run by Muslim, Hindu and Afro-Caribbean Christian groups (Parker-Jenkins 1991, Bowcott 1996).

Secondly, from my account above it must be clear that MacIntyre's works are not sectarian in the sense of 'only concerned with a narrow audience', or 'giving limited and stereotyped treatments of opposing views'; rather, they engage with an extremely wide range of parties. However, there is more to the 'sectarian charge' than this. To consider the substance of this charge more fully we turn to Joseph Kotva, who has defended not only MacIntyre but other Christian virtue theorists such as Stanley Hauerwas and Gilbert Meilander (Kotva 1994 p. 35). Kotva admits that:

Hauerwas, MacIntyre and Meilander have all made remarks that sound like a call for community isolation and withdrawal. (1994 p. 45)

Kotva's defence has two main parts. Firstly, he argues that selective engagement in public affairs is compatible with Christian virtue theory.²⁸ Secondly, he argues that the participation of virtuous individuals in public affairs does in fact have a more substantial impact than is widely realised. Of what does this selectivity consist? It consists in remaining rooted in a community of virtue, and of discerning from this standpoint what forms of public participation are appropriate:

Sometimes one cannot remain or become a just and virtuous person and run a business or teach in the established schools. There may, however, be other times when faithfulness or virtue requires heading a university or running for office. (1994 p. 46)

Kotva outlines several ways in which the health of societies depends on the exercise of the virtues, contending that "the most profound form of service a Christian community can provide is the cultivation of people of virtue" (1994 p. 46). He points to the importance of virtues in good leadership and good citizenship, and specifically to the contribution of communities of virtue to areas of social justice such as mediation and victim-offender

²⁸ Although he is chiefly concerned to develop his argument in a Christian context, Kotva also recognises that "There is no reason to assume that Christian communities are the only ones that can inculcate virtue" (1994 p. 47)

reconciliation, and one might add contemporary and historic prison and mental health care reform. His remarks on political leadership are worth quoting, because they bring out the importance of virtues specifically for the recognition of ambiguity and tragedy:

we have a greater chance of being a just society if our leaders do not view or rationalise all their acts as right and just, but can acknowledge ambiguity and tragedy. This, however, requires virtues like truthfulness and courage. (Kotva 1994 p. 47)

These points at least suggest how communities of virtue can make an impact on the whole of society and so contribute to the common good, and this will be expanded in the following Chapters 5 and 6 which will consider Muslim and Christian communities respectively in further detail. However, the concern remains that economic relations in capitalist systems are necessarily corrosive of co-operative social relations, of goods internal to practices, and of the common good. But must this be so? Or could it be that the ideologies which have accompanied capitalist economic relations have exaggerated the competitive individualist elements necessary for its operation?

Gray (1995a)²⁹ argues that too many aspects of modernity which are in fact only contingently related have been run together as if they were necessarily so. In particular he argues that the only aspects of modernity which have been truly globalized are an instrumental attitude to nature (disastrously in his view) and market economics. The latter does not, he suggests necessarily promote either individualism or democracy, and he points to East Asian societies as developing market economies without individualism, and to China as doing so without democracy. Traditions may fare better under such circumstances.

However, even in Western societies it might be argued that the contrast between individual and collective interest has been overdrawn. Just as a theory of evolution which stresses competition between individuals and species at the cost of co-operation has presented a distorted picture, so have economic theories based on a false opposition between co-operation and competition. Of course, advocates of market systems have always claimed that these are the most efficient way of meeting everyone's needs; but these needs remain defined in terms of individual interest (Smith in Jordan 1989 p. 12). However, it is possible to argue that individual and collective interest cannot be simply separated:

When people act together for the sake of mutual benefits in which they all share, then they are acting both in others' interests (because others gain from their actions) and in their own (because they gain also). ... The value of shared association cannot be split into individual portions, any more than the value of a good party, a good meeting or a good religious ceremony. (Jordan 1989 p. 16)

It is therefore appropriate to seek examples of co-operative practices in capitalist societies which can form the basis for developing a politics of the common good. Jordan is far from

²⁹Gray's position is discussed further at 7.6 below.

alone in making the argument that social relations in capitalist societies are better conceived in terms of shared interest; few communitarians go as far as MacIntyre in asserting the incompatibility of advanced capitalism with traditions of civic virtue (e.g. Stout (1989), Poole (1991)). Connolly (1981), Jordan (1989) and McMylor (1994) all point to the republican tradition as offering resources for the development of such virtue, while at the level of practices and using the example of baseball Stout (1989) argues that capitalist societies can place a high value on internal goods, even if the pressure of external goods is too great for many.

Connolly even argues that the visible interconnectivity of advanced capitalist societies, enabled by the mass media and supported by democratic institutions, creates conditions in which it is reasonable to expect individuals to sacrifice self interest for the common good, if the latter is seen to be to the long term benefit of all. In this context, he defines the common good as an "appeal to a shared set of purposes and standards which are fundamental to the way of life prized together by the participants", and argues that:

The participants have an obligation to respond to these appeals, even when the net interests of everyone, when each consults only his own interests moves in another direction ... The citizen with civic virtue is asked to give presumptive priority to those dimensions of his own good shared with others. (In McMylor 1994 p. 169)

However, none of these communitarian arguments seem to take serious account of cultural diversity. Rather, there is a general appeal to shared ways of life or preunderstandings which remain uninterrupted by cultural difference.³⁰ Such generalisations lead to liberal accusations of conservatism and recourse to individual rights and the value of autonomy; but as we have seen, cultural survival is not easily protected by such schemes. The same vagueness haunts multiculturalist assertions that cultural diversity enriches the common life of a society. What is needed is a more specific and differentiated account of how a range of traditions may nurture civic virtue, and it has been suggested that MacIntyre's theory can provide the basis for such a model. Without it, well-intentioned multiculturalist assertions will remain subject to the criticisms of superficiality and tacit subordination of minority cultures to a peripheral role, while opponents can simply continue to assert that cultural diversity undermines coherence.

4.8 Conclusion

Despite its deficiencies, MacIntyre's account can help to develop a model of public space which more adequately reflects religious and cultural diversity than the alternatives

³⁰Connolly's formulation is typical: "to participate in life is to carry an enormous load of settled criteria of judgement, standards of appraisal and beliefs. In sharing a language we share imperfectly these pre-understandings, and we bring them to bear on specific issues." (In McMylor 1994 p. 170)

considered. In particular, MacIntyre's achievement in constructing a way of thinking of moral, epistemological, social and economic life together is not rendered void by his inability to point to much from which civic virtues might develop in modern societies. In fact, MacIntyre's rejection of modern institutions is immediately qualified:

the rule of law ... has to be vindicated, injustice and unwarranted suffering have to be dealt with, generosity has to be exercised, and liberty has to be defended, in ways that are sometimes only possible through the use of governmental institutions. But each particular task, each particular responsibility has to be evaluated on its own merits. (1985 p. 255)

This view is the direct product of MacIntyre's verdict that modern societies do not, except at the fringes, and therefore mostly away from the public arena, provide the social contexts necessary for the sustaining of practices, and hence virtues. Engagement in the public arena therefore comes to be thought of as making forays from a base in disparate tradition-locations. In so far as minority communities sustain practices, and this can include Muslim and Christian communities in Britain and elsewhere in the West, MacIntyre provides an account of how their moral traditions can be preserved, and of how they can influence society (through his models of traditions in interaction and epistemological crises), even if he is not optimistic about the impact such influences can have.

However, it is possible, adopting a MacIntyrean account, to go beyond MacIntyre in presenting a more optimistic model for the development of civic virtue. The movements made by some liberals (e.g. Galston, Taylor) towards acknowledging the importance of cultural membership for sustaining individuals and communities, in all areas of life from the intellectual to the economic, makes it possible to reconceive of public space, even within modernity with its structural tendency to the dominance of external goods, as an interaction between traditions, and on the basis that traditions, including forms of liberalism, may come to recognise themselves as traditions. Thus while liberalism as a whole may be too incoherent to constitute a tradition of enquiry as MacIntyre argues, traditions within liberalism may have a coherent vision of the common good which can enable them to be regarded as such, even if their liberal convictions are an obstacle to them recognising themselves in this way.³¹

On such a basis, liberals may still wish to argue that for historic reasons, primarily to do with the emergence of liberalism from the religious strife of post-reformation Europe, liberalism has developed particularly effective ways of handling religious diversity. To which minorities may reply that liberalism also developed as a legitimisation of colonialism, pointing perhaps instead to the relatively peaceful accommodation of minorities within Islamic, Hindu or Buddhist civilisations, although they must then deal with the criticism that such accommodation was only achieved at the cost of social stratification.

³¹ For example, MacIntyre's treatment of Mill in his paper on education into public virtue suggests that MacIntyre regards Mill as having recognised his own tradition location, in contrast to his twentieth century heirs (1987).

Liberals can point to the capacity of capitalist societies to sustain and nurture practices (e.g. sports, professions), while traditioned minorities can highlight the virtues sustained by their communities. Each can point out the costs of the others' success. Such a model would also preclude the appeal to a return to moral values via religion without taking account of the communities and practices in which those values are embedded. The costs and benefits of virtue-sustaining practices and detraditioned individualism can thus be seen as part of the same model, which could provide a framework for public debate.

Regarding Bauman's presentation of the moral problem of modernity as the blunting of moral instinct by societal complexity, and the critique of practices as the fundamental building blocks of MacIntyre's theory as unable to address this problem, it is possible to argue that recognition of one's location in a tradition, which MacIntyre regards as a virtue (1985 p. 223), is able to provide a powerful diachronic critique of present practices. What MacIntyre's account perhaps lacks is a vision as broad as it is long, a synchronic vision of the distant implications of particular practices in complex societies.

The virtue of awareness of tradition location can also be enriched by a recognition of the impossibility of knowing oneself fully, of inevitable flaws in the mirror of historical enquiry. In this context Turner writes:

An older view of tradition, Oakeshott's and Polanyi's, was that much of the tradition was tacit and inaccessible *to the persons who were the bearers and continuers of the tradition itself.* (1990 p. 184)

Milbank makes a similar point in the context of narrative:

more attention must be paid to the structural complexity of narrative, and especially the way in which it has to assume a never fully represented synchronic setting (1990a p. 385)

Thus an awareness that we all participate in traditions, an awareness that MacIntyre promotes and which he helps us conceptualise, can be developed by paying more attention to the synchronic setting in which we perform and in which we construct our narrative histories, histories that always say more than we are able to articulate, and which always assume more than we are able to justify. The practical implications of the position developed in this chapter will be examined more fully in relation to education in Chapter 8. Now attention will be focused on the Islamic tradition, and particularly on Muslims in Britain, to consider their responses to the challenges of plurality in modern societies. It will also be asked whether it is appropriate to understand Islam as a tradition of enquiry, as a first step to applying a model of 'multiculturalism as traditions in interaction' to the British context.

Chapter 5: Islam and Justice in the Secular City

5.1. Muslim Aspirations and Liberal Minority Rights

How to translate a residual Muslim identity into a self-consciously Islamic identity is the challenge facing Islamic thinkers and leaders in the 1990s. (Lewis 1993b p. 169)

This challenge faces not only Muslim leaders and opinion-formers, but British society as a whole, and perhaps especially educators and legislators. For if we are interested in creating a just polity, then we need to begin to learn to read skilfully not only the diverse claims now made by British Muslims, but also the tradition from which they come.

In this chapter we shall examine Muslim responses to and resources for living as minority communities in predominantly post-Christian secularised societies. In the West, Muslims operate in a political culture where an important vocabulary available for groups within society to express their shared hopes is that of human rights. In Chapter 3 (3.3-3.4) we saw that rights discourse reflects an individualistic political culture which may be at odds with that of traditioned minorities, and that since 1945 notions of collective rights have fallen further out of favour. Nonetheless, Muslims have not been slow to adopt the language of rights to express their claims (UKACIA 1993). Yet the question remains: how adequate are existing conceptions of minority rights for expressing Muslim aspirations?

For existing models of minority rights, the tradition to which the minority belongs, indeed the particular aspirations which minorities have, play no part: equality is defined in terms of the dominant way of life in society. This can be illustrated by recalling two cases considered in the preceding chapters. First, Chapter 1 (1.4) recounted a dispute in the field of 'race' relations between Ballard (1992) and Goering (1993), fought in the pages of New Community. To recap, Ballard's thesis was that approaches which emphasise the construction of categories of 'race' and processes of racial discrimination by dominant groups tend to neglect the individual and collective resources for resistance possessed and mobilized by minorities. Goering countered that Ballard dangerously relativises values, emphasising the importance of agreed standards in the quest for equality. The significant point is that while the relativising of agreed standards and equal rights might seem to present a slippery slope to prejudicial discrimination and ghettoization, such standards and rights may also conceal a cultural bias which is tacitly imposed on minority groups.

A second case is Kymlicka's (1989) revised liberal justification for minority rights. Kymlicka's

view is that minority rights are best defended without appeal to the specific content of the ways of life which minorities are seeking to defend (3.4). His concern is that arguments constructed with reference to the particular content of traditions tie individuals within such communities to conformity to traditional ways of life; this may not only infringe on the rights of individuals as part of a national or universal polity, but could also ossify or freeze traditions themselves. In 5.4 we shall consider 'Women Against Fundamentalism' as a group which supports this stance. One aspect of Kymlicka's argument is that individuals suffer from the effects of discrimination whether they choose to follow traditional practices or not, and he seeks to build his argument for special rights on the basis of this inequality.

Two difficulties with Kymlicka's approach are relevant here. Firstly, the corrosive effects of majority cultures on minority cultures are not reducible to the impact of discrimination by the majority against the minority. Simply seeking to sustain beliefs and practices different to those of the majority population, or, to use Berger's phrase, sustaining membership of a cognitive minority, itself imposes a strain. For example, a non-practising Pakistani Muslim may suffer discrimination in employment or harassment because of the colour of his skin; but the cognitive dissonance to which he is subject will be of a quite different order from that of the British Muslim who seeks to adhere strictly to shari'ah (Islamic law).

Secondly, as Kymlicka's argument itself illustrates, the context in which an argument is developed may influence the argument produced. Kymlicka's argument is developed mainly in relation to the Inuit, an indigenous Canadian group, who, he contends, should retain certain land and voting rights within their territories, regardless of whether or not they retain traditional modes of life. In the case of the Inuit, their culture is closely tied to their mode of production, and the defence of this through special territorial rights may be sufficient to sustain their whole way of life. But no such close connection exists for British Muslims, whose faith has prospered in a wide variety of economic and cultural contexts. It therefore seems wise to consider the particular ways of life one is seeking to defend within one's argument. So this chapter will examine some aspects of Muslim life in Britain, augmenting the picture presented in Chapter 2 by concentrating on Muslim aspirations and Islamic law.

However, to ask how Muslim aspirations might be recognised more fully, assumes the desirability of as full a recognition as possible of Muslim claims. Yet this is a contestable assumption, and also depends on what is meant by the term 'recognition'. One sense is simply understanding Muslim claims, a second that of responding to those claims by taking action to help meet them. This chapter focuses primarily on the first sense of recognition.¹ So an attempt

¹The second sense of recognition has already received some attention at 2.12 and will receive further

will be made to present Muslim aspirations and Islamic understandings of justice relevant to and accessible within the public arena. The presentation falls into two parts. Sections 5.2 to 5.5 examine claims which Muslims have in fact put forward, while 5.6 and 5.7 attempt to indicate the breadth and character of resources within the Islamic tradition which Muslims may choose to call upon in response to the challenges of maintaining and renewing their communities in western contexts. Akhtar's work in 5.5 provides something of a bridge between a range of widely expressed views in 5.2-5.4, and the potential challenge of an alternative tradition with its own distinct conceptions of justice and modes of reasoning in 5.6 and 5.7.

One reason for presenting such alternative conceptions of justice and reasoning is to challenge the complacency of a dominant secular outlook which believes it has the monopoly on justice and rationality, in the spirit of MacIntyre's challenge to modern ethics from the standpoint of Aristotelian tradition. Indeed, MacIntyre recognises that his account of the development of Aristotelianism is incomplete without taking account of Islamic forms:

Islamic thought requires treatment not only for its own sake but also because of its contribution to the Aristotelian tradition, but this too I have had to omit. (1988 p. 11)

MacIntyre also mentions entirely non-western - Indian and Chinese - traditions with their own stories as counterparts to his, suggesting that a fuller conception of the common good would need to account for the significance of these and other traditions in the society under consideration. However, it is noticeable that in locating bearers of virtue-sustaining traditions in contemporary American society MacIntyre omits both these groups and Muslims, citing only certain conservative Christian and Jewish communities:

the older moral tradition is discernible in the United States and elsewhere among, for example, some Catholic Irish, some Orthodox Greeks and some Jews of an orthodox persuasion, all of them communities that inherit their moral tradition not only through their religion, but also from the structure of the villages and households which their immediate ancestors inhabited on the margins of modern Europe. (1985 p. 252)

Yet these minorities do not exhaust the list of such communities present in the West. Muslim communities also constitute a significant and widespread minority in Europe and North America, and many retain and all are heirs to the kind of holistic and teleologically defined understanding of human life which MacIntyre identifies as tradition. The following quotation shows a contemporary Muslim indicating the importance of directing all aspects of life to the divine telos, in the context of education:

Education should aim at the balanced growth of man's spirit, intellect, the rational self, feelings body and the senses ... The ultimate aim of all Muslim education lies in the

attention in the treatment of education at 8.2-8.5 below.

realisation of complete submission to God on the level of the individual, the community, and humanity at large. (Islamic Academy 1985 p. 78)

5.2 British Muslim Concerns: (i) Background

Some of the relevant background was considered in Chapter 2 (2.5-2.10); here two fresh areas will be emphasised. First, the differences between British Muslim groups need to be located in the context of a range of options facing British Muslims as possible responses to modernity, a modernity generated by and closely intertwined with the West (Ahmed 1992, above 2.10). Secondly, a sketch of the cultural context in which Muslim concerns for family life are embedded, and their relation to the economic context will be presented.

A typology of Islamic responses to modernity can help to locate the options available to British Muslims. The nature of the connections between economic, social, political and religious life in part define contemporary Muslim thinking. Rippin (1993) considers several typologies for categorising modern Muslim groups, but throughout the book makes most use of a simple threefold classification of modernist, radical and traditionalist (Rippin 1993 p. 28).

'Fundamentalist' is rejected in favour of 'radical' because the former can be a misleading term applied outside its original Christian and post-Christian secular context, since:

virtually all Muslims are 'fundamentalist' in their attitude to scripture (Rippin 1993 p. 38)

Furthermore, while radical Muslim groups are united in their emphasis on implementation of religion in all areas of life, Christian fundamentalists are divided. However, I retain 'fundamentalist' where Muslims themselves choose the term, as with 'Women Against Fundamentalism' (5.4 below) and Akhtar (5.5 below), where the term is discussed in more depth. Rippin sees attitudes towards "Islamic totalism", the extent to which "Islam is seen as encompassing all of life in its social, political and economic spheres" as crucial to this scheme (1993 p. 35). All Muslims (except secularisers, who Rippin admits are "not Islamic as such", (1993 p. 36), accept totalism in some sense; their differences lie in their interpretation of this view. Thus:

Islamic modernism wants Islam to be the basis for political life as well as the religious but perceives a need to reinterpret those structures in light of contemporary needs, frequently with clear and unapologetic adoption of Western notions. (1993 p. 37)

For radical Islamists, all Western notions are to be regarded with suspicion, but this suspicion tends to be more strongly directed at Western social and political thought than at Western science, which radical Islamists are often at pains to accommodate within an Islamic framework.

But like the other categories, radical Islam comes in a wide range of forms. For example, at 5.5 we shall consider Shabbir Akhtar's attempt to combine radicalism with philosophical and theological rigour in a Western context. In fact, Rippin wonders whether Akhtar may justify a new category outside the tripartite scheme, alongside the Islamic intellectualism of figures such as Mohammed Arkoun. For while Akhtar's writing supports the traditional side of radical Islam, it is newly embedded in a theology structured by western philosophical arguments (Rippin 1993 p. 43, Herbert 1993a).

For traditionalists, Islam also embraces each aspect of life, but this is so in a pre-reflective sense; encounter with modernity has not yet generated the self-awareness which has led to an articulation of a response to the Western secular/religious divide evident in secularist, modernist and radical positions. According to Rippin:

Traditionalism maintains its allegiance to past methods and has not dealt with the threat and the attraction of the West. (1993 p. 40)

Such attitudes are common amongst "the elite, Sufis and the lower classes, and in the Saudi Arabian context" (1993 p. 40). Traditionalism is significant in the UK where South Asian Islam, strongly influenced by Sufism, for example in the two largest groups the Brelwis and Deobandis, predominates, and where most South Asians are drawn from the lower strata of South Asian society. Such unreflective traditionalism, which seeks to perpetuate itself without engagement with the challenges of modernity, can be found in a wide variety of forms adapted to different cultural contexts, in some of which they may originally have emerged as reforming groups. Thus 'traditionalism' does not necessarily denote proximity to the practices of early or classical Islam, but rather a resistance to engagement with changing circumstances which can be exhibited at any stage in the life of a tradition. However, as MacIntyre reminds us, such resistance to change may provide the context for the preservation of forms which may be a source of hope for the future.

Second, culture, family and economics. A commonplace contrast between Muslim and non-Muslim attitudes in Britain is likely to be made in terms of the individualism of non-Muslims compared with the community and family orientation of Muslims and, indeed, other South Asians. Certainly, the indications are that the extended family pattern has been to a large extent maintained, in spite of such disruptive influences as migration, changed patterns of economic activity and the high financial cost of large housing units on the British market. This is reflected in social statistics. For example the 1981 Labour Force Survey, which found that 28% of Asian households contained three or more adults, compared to only 8% of white households (Poulter 1986 pp. 68-9). This figure, of course, excludes those who can't afford very large houses but choose to live in the same neighbourhood to share meals and other aspects of domestic life, and those who live further apart but retain close social bonds in other ways. Thus Shaw comments on

the "marked continuity with life in Pakistan" which Pakistanis in Oxford have been able to maintain:

on the whole, traditional attitudes to the use of domestic space have persisted and traditional roles continue to be expected of family members. Perhaps the most striking is the way in which the values of jointness and co-operation have been maintained. The ideology of belonging to a wider kin group still exerts a powerful influence over relationships between scattered family members. (1988 p. 83)

Such social solidarity can be interpreted as a strategy to counter the effects of prejudice in the wider community by drawing on cultural resources (see 1.4 above); but such a view, like its correlate that a revived interest in Islam by second generation Muslims for whom such cultural traditions have become attenuated, does not preclude the possibility that such a lifestyle may be desirable in itself, and may exert an enduring attraction, rather than simply providing 'temporary shelter' in a hostile environment. At any rate it is important to observe that British Muslims share not only an Islamic tradition, but also for 70-80% of them a South Asian context from which they or their parents have come. Thus social groupings such as biradari ('the group I belong to'; Shaw 1988 p. 99), practices such as lena-dena ('gift exchange'), continue to exert an influence on life in Britain, and hence constitute a significant part of the motivational matrix in which British Muslim demands are made.²

Consideration of the interaction of cultural and economic factors can help to balance any potential overemphasis on ideological 'religious' factors in the life of British Muslims. Neither should the extent to which Muslims participate in the secular ideologies and aspirations of the majority be under-estimated (See Goering 1993, above 1.4). For while, as we have seen, the arrangements of domestic economy of British Muslims remain distinctive due to extended family patterns and gender roles, nonetheless in many ways British Muslims share the economic concerns of others in the British population. There is a danger that in highlighting issues of religious identity the central role of more mundane matters can be overlooked, and an exaggerated picture of a culturally isolated or radicalised and religiously obsessed group created.

The wider economic picture and its impact on Muslims is also significant. As we saw in Chapter 2 (2.6) the PSI report (1993) and other socio-economic indicators suggest that Muslims from Pakistani and Bangladeshi backgrounds are amongst the poorest in Britain. While this overall picture needs to be balanced by the picture of enterprise and success painted by some studies (e.g. Werbner 1991), factors such as disproportionately high unemployment among ethnic minority groups, especially young people, need to be given full consideration. How does this

²Also relevant in this context are patterns of marriage and divorce; see Poulter 1986 for the legal issues, Shaw 1988 for an ethnographic study.

context influence the attractiveness of different options open to British Muslims? It can be argued that the need to focus resources on wealth generation may divert attention from religion. But economic hardship may also highlight faith's significance, particularly in a religion which in various ways makes close connections between religious and economic, social and political life. Religious networks may become a focus for economic and political mobilisation.

5.3 The Diversity of Muslim Hopes and Fears.

A striking contrast between the different styles of participation in British society sought by different Muslims was evident in the presentations of Ishtiaq Ahmed, of Bradford's Community Relations Council, and of Dr Munir Ahmed, representative of 'Young Muslim's UK', at a day conference titled "Islam in the West: the Bradford Experience", held in Bradford in July 1992. The conference was organised by the Department of Peace Studies, University of Bradford. Dr Munir Ahmed presented the sophisticated face of radical Islam; immaculately groomed in a smart suit, he saw Britain as a field for *da'wa* ('invitation' or 'mission'), and British Muslims primarily as agents for the spread of Islam. By contrast, the more casually dressed community worker challenged this perception, arguing that Muslims came to Britain primarily for economic reasons, not mission, and that the present priorities of Muslims concerned political representation and the achievement of a modest prosperity.

According to Philip Lewis, the Bishop of Bradford's advisor on inter-faith matters, similar differences were in evidence at the UK Islamic Mission's annual conference in 1991 (Lewis 1993b pp. 164-7). Here the majority of delegates were primarily concerned to obtain a sympathetic hearing for the concerns of British Muslims. Once again the delegate from the 'Young Muslims UK' represented the radical face of Islam:

Dr Ahmed pointedly reminded the seminar that the Prophet did not labour in Mecca for thirteen years for minority rights but rather to rid society of idolatry and to achieve success in this world and the hereafter. Muslims were in Britain, the land of *kufr* (disbelief), not to ask for 'petty little things' but to offer the greatest gift, Islam and the Qur'an, a light for all to 'save ourselves and all humanity from the fire'. (Lewis 1993b p. 166)

While radical Islam may be a minority view on such committees, it represents an option for young Muslims attractive in the context of the traditionalism of mosque elders and the prejudice against their faith and ethnicity in the wider society. It has also been radical Muslim groups, especially the *Jamaati-Islami* (party of Islam) which have been most active in reaching out to Muslim youth through groups such as Young Muslims UK, producing attractive materials in English and confronting the obstacles to practising Islam in a non-Muslim culture. Hence their influence among the young has been out of proportion to their representation amongst the first

generation. More radical Islamic groups have also taken root, especially among students, including Hizb-ut-Tahrir ('Party of Liberation'), whose anti-Zionist stance, membership policy and confrontational style has led to media attention and controversy.

The issues which troubled one delegate at the Islamic Mission's conference are taken by Lewis as an indicator of mainstream contemporary British Muslim concerns. Dr Wasti, a Vice President of UK Islamic Mission, presented the following "shopping list of Muslim demands":

new legislation to prevent discrimination against Muslims in employment, housing and education; legislation to prevent the defamation of Islam, accommodation of Muslim family law and the provision of voluntary-aided Muslim schools. (In Lewis 1993b p. 164)

Each of these four items falls squarely within the public arena I have been seeking to address in this thesis. Further, each concerns specific legal measures which may be reflective of the centrality of law to Islam, and indicative of the need to address Muslim concerns through legal modes of reasoning (Herbert 1993b). But perhaps most significant for the common good is that these demands are articulated in terms of the English legal system, and embody a willingness to negotiate within that common framework. Furthermore, the means through which the delegates sought to carry forward their arguments were principally through increased participation in the wider British society; through school governing bodies, local councils and other organs of local democracy, and through seeking the election of Muslim MPs within the mainstream political parties. As Lewis comments:

The seminar's stress on pragmatism, increased participation in the institutional life of the nation, especially politics, and a willingness to engage in self-criticism was seen as the key to winning a sympathetic hearing for Muslim concerns. These emphases seem congenial to increasing numbers of Bradford Muslims. (Lewis 1993b p. 165)

We have already noted the radical voice of dissent from the representative of the Young Muslims UK; in this context we may additionally observe both his powerful appeal to Islamic origins, and his dissent from the politics of conciliation and co-operation advocated by other delegates. For example, he describes Islam as, "a religion of the Book "intended to prevail over all other ways of life" (Lewis 1993b p. 166). How significant is this apparently uncompromising position for British Islam? We have already reviewed arguments concerning the appeal of radical Islam for young people. As a survival strategy, it is supported by the sociological argument that minority groups which erect the strongest barriers between themselves and the surrounding culture are most likely to retain numbers: distinctiveness survives plurality. This is probably one factor, but in the case of Muslim groups it is complicated by Islam's refusal to accept the confinement of religion to the private sphere. Thus a return to or revival of most forms of Islamic belief will naturally lead to political engagement, and hence to disputes in the public sphere. In this context the worldview of the group is subject to contestation and refutation from which an acceptance of a

private role for religion would have insulated them.

Both of the two largest Muslim groups in the UK, Barelvi and Deobandi, originated as reform movements in the nineteenth century on the Indian subcontinent, but reforming origins have not generally been revived in Britain; in key areas such as the education of imams in British culture, or providing relevant and accessible educational materials for the second and third generations, response has often been slow (Raza 1991, Lewis 1993b).

Lewis' evidence suggests a variety of factors may lead to the reform of traditionalism. Perhaps most significant is the discontent of young Muslims with the conservatism and cultural distance of their elders. Radical Islam may act as a spur to mainstream community politics. British born Muslims are not prepared to accept second best, or to put up with racism. As we have seen, 'Young Muslims UK' seeks both to bridge the cultural gap and provide grounds for political engagement by following the radical Islamist route of building a bridge directly from Islamic origins to the present, bypassing 'cultural accretions', and hence undermining the authority of elders. Such radical groups may force the mainstream to become more politically active to avoid losing the young.

5.4 The Search for Representation and Recognition

(i) The Muslim Institute, Muslim Manifesto and Muslim Parliament

The Muslim Parliament has provided another forum for the presentation of radical Islamist views, but as Lewis points out, its neglect of local accountability in selection of its members may have undermined its credibility. The 'Parliament' is the brainchild of Kalim Siddiqui, founder and director of the Muslim Institute. During the 1980s the institute identified closely with the 'Islamic Movement', a mostly Sunni network supporting the Shi'i revolution in Iran, and "engaged in an increasingly lively interchange with the British media" (Nielsen 1991 p. 468). These two strategies attracted radical Islamist sympathies, especially amongst Muslim youth. The launch of 'The Muslim Manifesto' at a public conference in London on 14 July 1990 also led to media controversy.

The document describes itself as "a common text defining the Muslim situation in Britain" and seeking "to provide a common framework for the healthy growth of all parts of the community as well as a common Muslim identity and purpose" (Nielsen 1991 p. 469). The text operates between the poles of obedience to British law and the obligation on Muslims to live in "pursuit of Allah's good pleasure alone". The context is perceived to be a hostile British society which

combines the anti-Islamic inheritance of Christendom with the anti-religious bias of the Enlightenment:

No religion, least of all Islam, is to be allowed a place in public affairs, even those affairs that affect Muslims themselves ... It is for Muslims to 'grow up' and join the mainstream of western civilization. (in Nielsen 1991 p. 470)

Two of the issues raised by the document - hostility to Islam and education - are discussed elsewhere in the thesis.³ The tone of the document can be indicated by noting its conservative interpretation of jihad (i.e. as armed struggle rather than struggle to establish Islam in a broader sense), thus ossifying relations with other groups in a western milieu into implacable opposition. Perhaps this interpretation is not surprising in the context of perceived hostility; and yet it does not represent the range of Muslim opinion:

Many Muslims would regard their struggle to achieve an acceptable Muslim lifestyle in Europe to be their great jihad, and they certainly do not think of an armed struggle! (Nielsen 1991 p. 474)

Thus while aiming to provide a common framework for all Muslims in Britain the Manifesto succeeded only in expressing the views of a minority within the minority. The same can be said of the Muslim Parliament, whose 155 original members were selected from the forty Muslim Manifesto groups which Siddiqui had set up around Britain (Parekh 1992 p. 4). Nonetheless, it will be apparent from the criticisms of liberal accounts of minority rights (3.3-3.4, 5.1) that there is evidence that even the most accommodating of liberal positions has an 'assimilationist undertow'. This perception is apparently reflected in the Muslim Manifesto in the statement "It is for Muslims to 'grow up' and join the mainstream of western civilization" (in Nielsen 1993 p. 470).

Such statements urge us to ask ourselves how much and what kind of coherence in belief and practice a plural, liberal society requires, and how much of what is at present expected is the product of prejudice, and not of necessity. Also, in so far as minority groups seek greater control over their own members, we are urged to raise questions about the relation between individual rights and the rights of cultural and religious communities, recognising that the survival of such communities may be at stake. Without radical groups like the Muslim Parliament, perhaps such important questions are less likely to be asked. Thus while they are unrepresentative and gain disproportionate media coverage which could inflame prejudice, this cost to the Muslim community needs to be weighed against their ability to put issues on the public agenda.

³Education at 2.8 and 8.2-8.5, hostility to Islam at 2.6 and 2.11.

(ii) The UK Action Committee on Islamic Affairs (UKACIA)

The efforts of the Muslim Institute illustrate both the difficulties in creating a Muslim representative body, and the demand for representation in the public arena by British Muslims. During the early to mid 1990s the focus of campaigning for Muslim rights seems to have shifted to other organizations, for example The UK Action Committee on Islamic Affairs (UKACIA). Formed during The Satanic Verses controversy in 1989, it indicates the growth in the organization and sophistication of Muslim groups in the public presentation of their opinions. An example is its glossy 1993 submission The Need for Reform: Muslims and the law in multi-faith Britain, presented to the Home Secretary to represent Muslim views on racial equality legislation at the time of the Commission for Racial Equality's (CRE) second review of the 1976 Race Relations Act. The document suggests some convergence of Muslim opinion on the direction which campaigning for greater recognition for Muslims should take, witnessed by the wide range of organizations represented.⁴

The UKACIA document calls for an end to the dominance of race as the defining category of difference in British legislation, and seeks legislation outlawing racial vilification, incitement to religious hatred, and discrimination on religious grounds (1993 pp. 17-18). The An-Nisa Society et al.'s response to the CRE's review looks at a wide range of implications of the dominance of racial and ethnic categorization, pointing to the implications in the areas of fostering and adoption, housing, service delivery and policy monitoring (1993 pp. 41-50). The sophisticated engagement with detailed policy issues contrasts with the dualism of the Muslim Institute's presentation the Muslim Manifesto; here is a serious engagement with liberal arguments and institutions. Yet the extension of religious identity into more areas of life is for some groups a cause for great concern, and may be seen as more dangerous than the apocalyptic rhetoric of the Institute. An example of such a groups is 'Women Against Fundamentalism'.

(iii) Women Against Fundamentalism

Some Muslims fear that an increased assertion of religious identity among British Muslims may provide an opportunity for traditional male leadership to reassert its authority over Muslim communities in a way that represses diversity, and especially the views of women. This position is represented by the "Women Against Fundamentalism" (WAF) group, formed on 6 May 1989, once again in the wake of the Rushdie Affair. WAF consists of women from different religious

⁴Organizations contributing to the UKACIA production (1993) include: An-Nisa Society, Muslim Women's Helpline, Muslim Wise, The Muslim Update, Union of Muslim Organizations.

backgrounds and none. WAF opposes 'fundamentalism', which is understood as a phenomenon found across different religious traditions. WAF recognises the diversity of religious traditions, but argues:

What is common to all fundamentalist movements, however, is that they claim their version of religion to be the only true one. They use political means to impose it on all members of their religion and feel threatened by pluralist systems of thought. (Saghal and Yuval-Davies 1990 p. 3)

Those arguing for increased recognition of religious or cultural identity have criticised multiculturalism as subordinating culture to liberal ideology at crucial points (e.g. Hulmes 1989). By contrast, WAF have argued that multiculturalism already goes too far in defining individuals in terms of their cultural background. WAF emphasises the internal diversity of minority communities and the rights of individuals to shape their own identities. This latter point is especially crucial for women, who according to WAF, are seen by 'fundamentalist' groups as the main agents in the transmission of tradition, and therefore:

at the heart of all fundamentalist agendas is the control of women's minds and bodies. (1990 p. 1)

One particular problem which stems from the early days of multiculturalist policies (1970s) is the way in which unelected 'community leaders' are selected to represent minority views. Yasmin Ali (in Saghal and Yuval-Davies 1992) has pointed out that this pattern reproduces the selection of 'representatives' in colonial practice, and has led to the dominance of a conservative male leadership. The new emphasis on religious identity provides this leadership, threatened by the growing autonomy of women and the radicalism of youth, with an opportunity to reassert its dominance.

However, the issue of the democratic accountability of community representatives is analytically separable from the wider issue of women's rights and cultural transmission. The former needs to be seen both in the context of the widespread loss of democratic accountability in public organizations in Britain during the last fifteen years,⁵ and of a more general decline in democratic participation in the Western world (Johnston 1993). In this wider context, the selection of community leaders is another example of the concentration of power in the hands of a managerial elite. But although it compounds it, this problem is separable from the issue of recognition of cultural and religious membership, and the possible costs of the latter in terms of individual rights.

⁵Examples of this the loss of elected representatives on hospital governing bodies and the reduction of local authority control over education, proliferation of non-elected QUANGOs (Quasi Autonomous Non Governmental Organisations).

WAF takes up some positions which directly oppose the UKACIA document, for example on the issue of religious schools, and over the provision of non-religiously based shelters for women fleeing domestic violence. While education is not a major issue in the cited UKACIA document, support for separate Muslim schools is clearly implied in the main statement (1993 pp. 4-6), while in the supporting evidence the Al-Nisa society et al. write:

The refusal to grant Muslim schools, such as Islamia Primary School in Brent, London, voluntary-aided status is perceived by the vast majority of Muslims as clear evidence of the hostility and prejudice prevalent in society at large against them. (UKACIA 1993 p. 44)

By contrast, WAF's opposition to religious schools is based on the view that:

All religious schools have a deeply conformist idea of the role of women. They will deny girls opportunities which they are just beginning to seize. (1990 p. 2)

But must this be so? It is either necessarily true, or true in practice, that religious schools deny women opportunities? To take one example, the headmistress of Feversham College, Bradford, has justified her school precisely on the grounds that the provision of a supportive Muslim environment provides parents with the confidence to allow their daughters to continue in education, and thus to benefit from greater educational opportunities.⁶ The small number of girls now beginning to progress from Bradford Muslim Girls' school to Bradford and Ilkley Community College to train as teachers testifies to the fruits of this policy.

An extension of this kind of approach can be found in those higher education institutions which provide additional support for students with cultural or religious needs through means ranging from curriculum modifications to special transport, means which therefore may entail different programmes and some separation from other students. Two examples are Westhill College Birmingham's scheme for teacher training in RE with a specialism in Islam, and S. Martin's College Lancaster and Edge Hill CHE's joint scheme for training teachers from minority backgrounds, which is explicitly designed to increase the numbers of minority teachers in Lancashire. Taking account of religious sensitivities may thus enable wider participation and individual fulfilment. Separate schools catering for religious needs may be supported along these lines.

However, the opportunities which WAF has in mind may be of a broader nature; it may be objected that slightly broadening opportunities from a narrow religiously determined base is an unsatisfactory implementation of equal opportunities. Or that education should involve an

⁶This information was gathered during an interview in 1992.

initiation into pluralism - an empowerment to make individual choices - which is incompatible with the ethos of a religious school. One important question here is one of whether a religious school can present students with a sufficiently broad and critical perspective to enable them to make their own life-choices.

Such phrasing suggests that the differences between the WAF and UKACIA positions can be seen in terms of the autonomy-heteronomy/liberal-traditional minority typology of Fitzmaurice which we considered in Chapter 3 (3.4). For WAF, religious schools will not enable women to develop the autonomy needed to seize the opportunities available, while for UKACIA without sufficient rootedness in their cultural community, and in particular its religious identity, individuals will lose meaning, purpose and even effectiveness, since they will not know who they are, or where they are going.

The issue of provision of shelters for women fleeing domestic violence can perhaps be understood in the same way. Muslim organizations argue for the importance of support within the religious community, secular institutions being unable to appreciate the issues involved. By contrast, women's groups may see independent advice and support as imperative, perhaps seeing religious communities and attitudes as a major obstacle to empowering women to make their own, autonomous, decisions. As was argued in Chapter 3, at the root of minority cultural groups' desire for recognition is often a struggle for cultural survival; the struggle to pass on their ways of life and/or religious beliefs to their children, in a context in which it will not be impossible for these in turn to perpetuate and transmit the tradition to the next generation, and so on. At certain points this goal seems inevitably to clash with the cultural value of autonomy so highly prized in secular societies.

In Chapter 4 it was suggested that MacIntyre's model of traditions might at least allow us to see the opposing points of view with a common framework, without distorting the arguments of each beyond the point of recognition by the different parties involved. This possibility of a mode of presentation recognised by both parties would be a considerable advance over a position where each party simply cannot recognise the other's image of them. According to MacIntyre's model, radical innovation is a proper, indeed essential aspect of the development of tradition; yet equally crucial is a recognition of the traditional roots from which such innovation springs. The attempt to begin again as if from nothing is both philosophically untenable (7.4) and a dangerous illusion. Thus both autonomy and the authority of tradition are admitted in qualified form.

However, it is easier to envisage this kind of theoretical harmonization than to come up with ways of sustaining constructive dialogue or even mutual recognition in practice. An abstract synthesis

is always vulnerable to the criticism that it is useless unless people come to recognise it and realise in practice. At least this kind of model has the advantage that it doesn't dissolve people's differences; it leaves distinct identity and unique foundations intact. But what does it suggest in practice in this case?

It may suggest some criticism of WAF's positions, to allow a more positive view of religious tradition. For example, WAF calls for:

A development of social policy that addresses the genuine needs of women, and which does not attempt to deal with them on the basis of racist and sexist assumptions as to how they are expected to behave according to their particular racial or cultural origin. (1990 p. 2)

But, what are these 'genuine needs'? Who defines them? Do they not include religious and cultural needs? Does consideration of religious and cultural background necessarily mean reduction to stereotype? The language here seems to imply that these needs are known; yet they are not specified. The discourse is reminiscent of the "secular fundamentalism" found by D'Costa found in his analysis of the Rushdie affair (1990b, above 2.2), raising the suspicion that here again a dominant secular discourse finds it unnecessary to present its arguments, which are so powerfully entrenched that their validity can be tacitly assumed. Yet, as with the Rushdie affair, both sides - here feminists and Muslim organizations, there the liberal press and Muslim organizations - see themselves as under threat from the power of the other group. Muslims see a globally dominant secularism, feminists see men seeking to dominate women, journalists see militant Islam threatening liberties.

WAF may respond, for example in the case of women fleeing domestic violence, that it is for women themselves to make choices about their lives, and not male community leaders: autonomy is different from and morally superior to heteronomy. They are not seeking to impose another form of heteronomy, a secular feminist ideology, but to restore autonomy to women. Women can choose to go back to their husbands if they want, but let them choose. There is a certainly a valid point here, concerning coercion. What WAF fear is that if support for women is left to 'the community', then women will be denied real choices. While secular provision may undermine religious authority, it does at least offer women a choice. Such arguments are powerful, even compelling. However, if this argument is forwarded from a position which blindly claims universal validity then it will continue to provoke Muslim hostility, and hinder the process of constructive interaction between traditioned minorities and the secular majority.

5.5 Shabbir Akhtar on Muslims, Christians and British Society.

As we have seen, British Muslims today face a bewildering variety of challenges in attempting to shape their identity as a participatory minority community in British society. Many of these challenges are common to other ethnic minorities, for example the maintenance of minority languages. But British Muslims have probably received the most public attention, as Honeyford, The Satanic Verses controversy and the Gulf crisis remind us. Lewis, outlines some specific challenges:

At the moment the Muslim communities in Britain are characterised by a welter of experiments and much confusion: should they vote for the British Islamic party? Should they endorse the proposal for a 'Muslim Parliament', which shorn of its rhetoric means an Islamic equivalent of the Jewish Board of deputies?... Should Muslims continue to support the mainstream political parties, while seeking to transcend sectarianism and develop a genuine umbrella organisation, which could liase with the government, churches and other public bodies?... For how long will it be feasible to depend on religious teachers from South Asia, most of whom are not equipped to present Islam as intellectually intelligible and socially relevant to British Muslims? (1991b p.410)

Five years later the more extreme options of a British Islamic Party and the Muslim Parliament have become less prominent, but the fundamental challenges of representation and recognition remain. These issues in turn imply challenges for the whole of British society; educationally, legislatively and in terms of identity, how do we come to terms with a multi-cultural, multi-religious but predominantly post-Christian environment?

It is in this context that we turn to the work of Shabbir Akhtar, a British Muslim who has been concerned with trying to persuade Muslims to reflect creatively, radically and carefully on their faith in a British context. Akhtar has been both an activist, concerned to promote what he believes to be Muslim interests, and a scholar, who through his writings reflects critically on both Muslim and Christian faiths, and on secular beliefs. As such he is a useful person to consider when seeking to relate the challenges of life in a multi-cultural society to the theological bases of faith and the philosophical bases of secular beliefs.

Both the extent to which his views represent those of British Muslims, and some aspects of his scholarship, can be questioned, questions which draw us back to the issues of representation and recognition for British Muslims. For the most part he has stood away from the factionalism of British Islam, refusing to get involved in mosque politics, and serving as an independent member of the Bradford Council for Mosques. When I first met him in 1991 he was working as educational officer for Bradford's Community Relations Council (CRC). Since then he moved first to London and then to Hove, pursuing his career as a freelance writer and academic. At this time he was briefly involved with Kalim Siddiqui's 'Muslim Parliament', a controversial affiliation

for British Muslims as we have seen (5.4i).⁷ In 1993 he produced a handbook for Muslim parents in association with the London based Islamia Schools Trust (Akhtar 1993). Since 1993 he has taught philosophy in the Islamic University in Kuala Lumpur, Malaysia. Prior to this appointment he also travelled and studied in the Middle East.

Akhtar has strong Western academic credentials: a Cambridge philosophy degree and a Canadian doctorate in philosophy of religion, for which he was supervised by Kai Nielsen. By 1991 he had published five books and numerous articles, through which he has addressed a wide range of issues, including responding to The Satanic Verses controversy (1989), producing a wide ranging critique of contemporary Islam (1990a), exploring the effects of the Enlightenment on Christianity (his doctoral work, 1990b), and producing "an Islamic Theology of Liberation" (1991b). During his break from tertiary education (up to 1993) he continued producing work of a high academic standard, shown in its publication in respectable academic journals such as the Selly Oak Colleges' journal Islam and Christian-Muslim Relations.

However, his depth of knowledge of his own tradition can be questioned as can his representative status for British Muslims, as an intellectual without sectarian affiliation. He lacks a traditional Islamic scholarly training, although this deficiency also makes him typical of Muslims raised in the West, few of whom have such training. His study and teaching in Islamic contexts since 1991 indicates his commitment to attaining a deeper immersion in Islamic tradition. His work with Bradford CRC in education, with the Council for Mosques, and with the Muslim Parliament, together indicate close contact in the British Muslim community at a variety of levels. His distance from the Brelwi and Deobandi Sufism of the majority of British Muslims may serve as much to enhance his relevance to a second generation frustrated with traditionalism, as to distance him from the perspective of mosque elders. His familiarity with Western discourses may equip him, like a post-colonial Sayyid Ahmed Khan, to explore new ways of maintaining fidelity to Islam under changing circumstances.

Behind this attention to his credentials lie important questions of representation and credibility in the eyes of different audiences. Through these questions Akhtar raises in his person the broader question of representation: "Who has the right to say what Islam today should be?" Is it the Muslim elders, raised in the subcontinent? Or the mostly imported imams? Or British born, Western-educated Muslims? Or the array of 'representative bodies' through which any of the

⁷For example, a 1991 BBC local radio phone-in in Bradford found that 90% of Muslim callers opposed Dr Siddiqui's proposals, although clearly the typicality of this sample can also be questioned.

former interest groups may express themselves? Or, significantly for those who study British Islam, the scholar trained in secular or Christian influenced academia? This is neither an exhaustive nor mutually exclusive list, and different forms of representation may be appropriate in different arenas. Yet such a list, especially when one adds the popular media through which most of the British public receives its impression of Islam, serves to indicate the confusing welter of voices and images surrounding British Islam, and can thus serve to help us reflect on our own understanding and motivation.

Frequently, among both scholars and believers, an implicit essentialism operates.⁸ It is tacitly assumed that there is an essential 'something' which is the 'real Islam', against which all else is judged. This may be expressed in forms such as 'He's so ignorant of his own tradition' (yet the scholar may impose his view of a division between religion and politics alien to Islam), or 'But the Prophet never intended that', yet the fundamentalist may neglect alternative hadith, or generations of traditional interpretation. Selectivity is inevitable if evaluations are to be made of a diverse tradition, but the presuppositions involved need to be acknowledged; here I am calling for recognition of the importance of what might be called 'implicit theology' or 'implicit philosophy'; throughout the thesis the need to reflect upon tradition-location has been stressed.

Akhtar is an academic who has attacked the 'liberal establishment', which is perhaps the backbone of academia, especially in his description of the press response to the fatwa against Salman Rushdie as "The Liberal Inquisition" (1989 pp. 37-63, 2.11 above). He claims, in certain guises, to represent the common Muslim person. Indeed, it was on the issue of The Satanic Verses that he first decided to speak out on behalf of British Muslims. He sees "The Liberal Inquisition" against Muslims who protested against The Satanic Verses as stemming from a pattern of beliefs which D'Costa (1990b, 2.2 above) has described as "secular fundamentalism". D'Costa's term here fits Akhtar's accusations against liberalism well; both highlight and protest against a position which refuses to recognise the contingency of Western secularism, thus propagating an ideology which, like other ideologies co-opted under the Western label "fundamentalism", claims that society can only prosper peacefully when its own ideology prevails.

It was in this context that Akhtar spoke, campaigned and wrote with indignation. In several articles in the press, and especially in Be Careful with Muhammad!, he attempted to explain to a non-Muslim audience, and to articulate on behalf of Muslims, the pain which the publication of The Satanic Verses had caused to Muslims. As he explains in the preface to this book:

An illiterate woman in Bradford went to see her teenage daughter's schoolteacher, who said to

⁸Halliday's (1996) comments on linguistic essentialism are pertinent here, see 8.1 below.

her: 'The Satanic Verses is brilliant! In Britain we like to read great literature.' She remained silent and returned home. This book is an attempt to explain that inarticulate believer's anguish. (1989 Preface)

Many Muslims were offended by The Satanic Verses, but were also uncertain about the appropriate response. In her Letter to Christendom (1989) the expatriate Syrian Muslim writer Rana Kabbani explains:

I was caught, it seemed to me, between two tyrannies - that of Ayatollah Khomeini's unacceptable death sentence against a writer who had poked fun at the prophet Mohammed and, in reaction, the harsh condemnation of the West of what it saw as a barbaric alien culture. (1989 p. ix)

Akhtar has been less compromising in his approach. In September 1991 in the Muslim News he wrote that the opposition to The Satanic Verses had been "absolutely right", while on 'The Late Show' in December 1991 he added that he had learned nothing from the whole controversy.

Akhtar is also prepared to use the label 'fundamentalist' to describe himself. Fundamentalism is a word often associated with fanaticism, interpreted most charitably as the misguided reaction of the insecure to the threat of change (Gill 1989). But it is worth distinguishing the 'fundamentalism' which Akhtar and other Muslims choose as a badge of self-identity, from the various psychological and sociological reductions which have been offered of it. The latter, Akhtar admits, play a part in explaining some people's behaviour; but they do not tell the whole story.⁹ Akhtar's understanding of 'fundamentalist' corresponds closely to the first use of the term by the conservative Christians who wrote a series of tracts known as The Fundamentals between 1908 and 1915, that is as a return to fundamentals of belief (Corner in Coggins and Houlden 1990 p. 243). Thus Akhtar writes of his own position:

Islam at any given period of its history is authentic only in so far as it resembles the original faith...[this is] a view with which I have, in most moods, a lot of sympathy. (1990a p19)

He has also defended a 'dictation' theory of inspiration of the Qur'an (1991a), analogous to Christian fundamentalists' position on the genesis of their scripture, the Bible. Yet this view can apparently be combined with considerable flexibility in interpretation, as indicated by following statement:

Islam is properly to be seen as a raw material entering the world from heaven, waiting to be moulded and shaped. (1990a p. 20.)

Thus Akhtar takes Islamic fundamentalism seriously as a pious and potentially defensible

⁹His point here parallels Milbank's permission of 'ad hoc reductive suspicion' at 7.2 below.

strategy, certainly one to be defended polemically against secular fundamentalism, such that he writes:

What the English newscaster calls suicide may still be martyrdom in God's eyes. (1990a p. 189)

Religion might still be something worth dying for, certainly something worth getting angry about; and the revelation to Mohammed is still, to use Christian terms I do suspect he may find appropriate, 'good news; he is an 'evangelical Muslim'. But he combines this with considerable respect and sympathy for atheism, to the extent that he presented atheistic arguments with such force in "A Faith for All Seasons" that the Muslim Times reviewer felt he had lost his faith.¹⁰ He believes that a critical and reflective spirit belongs in the Muslim faith alongside zeal, creating tensions which he has difficulties in resolving, but which are of interest to anyone who seeks to combine critical study with devotion to faith.

The use of the term 'fundamentalist' must also be considered in the context of Islamic revival movements, which have traditionally understood themselves to be returning to the fundamentals of Islamic faith. As Esposito writes:

The concepts of renewal (tajdid) and reform (islah) are fundamental components of Islam's worldview, rooted in the Qur'an and the Sunna of the Prophet. Both concepts involve a call for a return to the fundamentals of Islam (i.e. Qur'an and Sunna; more widely the praxis of the early, especially Medinan, ummah.) (1994 p. 115)

Differing Western and Islamic views of fundamentalism also need to be understood through the contrast between Enlightenment and Islamic worldviews. The Enlightenment's polemic against tradition, its rejection of its own past as one of unreason opposed to the new age of reason, and its beliefs in progress and evolution, contrast with Islamic beliefs in an originally perfect revelation and its ideal expression in the life of Mohammed and the early ummah. This Islamic understanding forms part of a view of history, frequently repeated in the Qur'an, in which Allah continually sets his people on the straight path through prophetic revelation and from which they wander, only to be corrected, wander again, and so on, until the final and definitive revelation in the Qur'an itself. The emphasis on revelation as setting the boundaries to right living, and on the human tendency to wander from these prescribed boundaries, indicates Islam's affinities to the other Semitic faiths, and its contrast with the more optimistic narratives of the Enlightenment, particularly those emphasising human capacities for self-improvement, freedom and autonomy. In spite of these contrasts, Akhtar sees the possibility of some sort of rapprochement between Islamic and Enlightenment traditions in his The Light in the Enlightenment (1990b). He sees the Enlightenment's emphasis on rationality as challenging Islam to rediscover its own formidable

¹⁰Personal communication, 1991.

intellectual tradition. In this context that Akhtar's criticisms of contemporary Islam need to be understood.

Akhtar believes that generally Islam has failed to respond constructively to the challenges of secularism:

At least since the end of the nineteenth century the entire house of Islam has been surviving on an intellectual overdraft. (1990a p. 204)

He seems to perceive the central challenge here as an intellectual one, whereby an increasingly comprehensive materialist understanding of the world renders theistic interpretations increasingly irrelevant. He writes of this threat:

Secularity is becoming more and more pronounced even in the most traditional Muslim countries. (1990a p. 9)

Western secularity poses a serious threat to ...all the theistic faiths. (1990a p. 13)

Such a position does not require a once-for-all knock-down proof for or against the theistic case, but rather its effects can be seen as cumulative and attritional in the manner described by post-foundationalist thinkers such as Richard Rorty,¹¹ who illustrates this kind of effect with examples from earlier European intellectual history:

Europe did not decide to accept the idiom of Romantic poetry, or of socialist politics, or of Galilean mechanics. That sort of shift was no more an act of will than it was a result of argument. Rather, Europe gradually lost the habit of using certain words and gradually acquired the habit of using certain others. (1989 p. 6)

Such a process does not depend upon vast numbers of people understanding an argument, but rather can have a largely unrecognised and far more widespread effect than a formal argument ever could. Rorty borrows an image from Davidson to help us picture this process:

Davidson lets us think of the history of language, and thus of culture, as Darwin taught us to think of the history of a coral reef. Old metaphors are constantly dying off into literalness, and then serving as a platform and foil for new metaphors. (1989 p. 16)

Hence, for example, scientific revolutions become "'metaphoric redescriptions' of nature rather than insights into the intrinsic nature of nature" (Rorty 1989 p. 16). Such an argument can be applied to all forms of knowledge, since for many it no longer seems possible to found human knowledge systems on incontrovertible premises - the foundationalist goal. Akhtar accepts these anti/post foundationalist arguments, for example in the following passage:

¹¹Rorty's argument concerning the power of metaphor was first introduced at 1.13 above.

The recent attacks on classical foundationalism have helped us to realise that it is possible to arrive at a rational stance in several different ways such that the rationality of our believings is not necessarily tied to a foundational construal involving the derivation of inferences from agreed premises. (1990b p. 134)

Instead, it is understood that knowledge systems grow up and maintain themselves organically, as the coral reef metaphor used earlier illustrates. Knowledge is, to use MacIntyre's terms, tradition bound. This position finds empirical support in Bellah's work, summarised at 3.4 above, which suggested that the moral discourse of middle Americans cannot be understood in foundationalist terms (Bellah et al. 1985). Bellah explained his results in terms of the dominance of individualism in American life, which makes it difficult to make sense of life in a broader, purposive framework. But, as we saw, Stout argues that Bellah's subjects may well participate in a broad structure of meaning, but that if this structure does not take foundational form it will be show up using Bellah's methods of inquiry. The lives of middle Americans - or anyone else - may gain their meaning from participation in a variety of 'stories' woven around particular relationships and settings; not by deriving their lives from basic moral principles. Stout illustrates his argument from the case of 'Brian Palmer':

Brian's justification of life does not, as the authors think, rest on a "fragile foundation" (1985 p. 8), for it does not rest on a foundation at all. It rests on the details of his story. It is by telling his story and by implicitly invoking its evaluative framework that Brian initially understands his life... "Habits of the Heart" seems at times to assume ...that what Brian's life needs is a philosophical foundation - a principle that will stop the regress of answers to Socratic questions. (1988 p.198)

Rather, the stories which Stout proposes make sense of Bellah's subjects' moral discourse may form part of practices which maintain internal goods; and hence resist the individualism of which Bellah sees their incoherence as symptomatic. These practices may be sustained by family networks, networks of friends, clubs, associations and local communities. It is clear from the following statement that Akhtar recognises the strength of such post-foundationalist arguments:

One cannot, it seems, claim that one belief system is superior to another without begging the question against the opponent, or at least without appealing to a highly controversial standard of rational plausibility. The philosophical arsenal cannot ensure victory for any given party; there seems to be no higher tribunal for settling fundamental controversies. (1990a p.105)

The implication would seem to be that the task of trying to demonstrate that one belief system is conclusively superior to another is futile. Furthermore, acknowledgement that belief change is driven by forces far more pervasive than argument alone would seem to severely limit the role of apologetics as traditionally conceived; rational argument is but one weapon in the persuasive armoury. Nonetheless, Akhtar asserts the need for a creative theological response to defend the reasonableness of theism:

Unless the theologian can find a creative mechanism- a metaphysic, a mode of thought- to express old insights, render them relevant and compel new ones, theism will become effectively irrelevant even if it expresses eternal truths. (1990a p. 16)

For this task he finds the attempts of most contemporary Muslim apologists sadly deficient. For example, on attempts to defend the scientific inerrancy of the Qur'an he writes:

There is much optimism in the Muslim camp, with some writers even claiming to have rendered the Koran fully acceptable, in terms of its scientific content, to western scientific humanity... the entire attempt is nothing but a remarkably ingenuous and facile handling of scripture in the service of unconvincing apologetic ends. (1990a pp. 52-4)

He points to the inconsistency of apologists who rejoice when scientific claims tally with the Qur'an, and then either declare scientific views wrong or irrelevant when they conflict. For Akhtar their fundamental error is hermeneutical because such apologists ignore the primary intention of the text. Thus:

The emphasis on the secular scientific resources of the Koran loses all focus on its rich resources as a *religious* document... It was delivered in the first instance, in essential part, as an indictment of Arab paganism. That was the original intent of the revelation. It would be nothing less than laughable to suggest that the Koran was motivated by a desire to supply scientific learning, and that enigmatically, to a generation placed one and a half millennia later in the stream of history. (1990a p. 56)

Yet by insisting on a primary 'religious meaning' he runs the risk of falling into the trap which he believes to have caught so many "sophisticated Christians", such as Richard Swinburne (1990a p. 70). The trap lies in the hermeneutical procedure of distinguishing cultural husk from true religious message. For, he argues, it is not possible to:

distinguish in any unquestion-begging way ... between the religious message presumed to be true and the culturally specific incarnation presumed to be false. (1990a pp. 70-71)

It is not easy to see how these last two statements can be held to be consistent with one another. In the first he suggests that original primary intent can be reliably discerned, implying that anything else, such as explanations of natural phenomena, are of secondary significance. Yet in the second quotation he questions the validity of such a procedure. The tension between the two passages seems to me illustrative of the unresolved tensions between fundamentalism and reform present in Akhtar's work.

For the most part Akhtar does not deny that creative re-interpretation of Islamic tradition can and must take place, as implied in the above reference to the need for the theologian to find a "creative mechanism" to "express old insights, render them relevant and compel new ones". He insists that interpretation takes place in some sort of creative fidelity between the two hermeneutical poles of the original intent of the text and a serious and balanced view of the modern world, and contrasts

such a method with much recent Muslim work in the radical Islamist camp, in which modernity is seen as a Western plague, and extra-Islamic claims are ignored.

Why should it be that much modern Muslim thought is so hostile to extra-Islamic claims? As well as sociological and historical explanations (dramatic loss of power since the eighteenth century; colonial and neo-colonial experience), Akhtar argues that questioning and speculation have not generally been encouraged in the Islamic tradition. In the Qur'an, he argues, while a reflective, meditative mood is encouraged at certain points, the dominant emphasis is on obedience and submission. Hence he writes:

There are no specifically Islamic reasons for encouraging a Muslim to undertake any unduly critical study of his basic religious convictions. (1990a p. 36)

When it comes to translating these basic religious convictions into practice, he notes that the dominance of the imams has tended to fossilise interpretation of Islamic law (shari'ah). In doing so, he appears to join a succession of Islamic reformers who have argued that the gate of ijtihad (new interpretation of Islamic law) should be re-opened (see 5.7 below). Esposito writes of this reforming tradition:

Despite the general tendency in Sunni Islam after the tenth century to follow (taqlid) the consensus of the community, great renewers or revivalists like al-Ghazali, Ibn Taymiyya, Mohammed ibn Abd al-Wahhab, and Shah Wali Allah claimed the right to function as mujtahids, practitioners of ijtihad, and thus to reinterpret Islam in order to purify and revitalise their societies. (Esposito 1994 p. 116)

Akhtar also finds grounds for optimism in Islam's evaluation of 'ilm (knowledge). He sees in Islamic arguments for the compatibility of science with the Qur'an a grain of truth, in that he understands the Qur'an to contain a positive view of the human search for knowledge. Here the faith/knowledge distinction which he sees as characteristic of some Christian theology is absent, 'ilm (knowledge) and iman (faith) being seen as quite compatible. He also sees the Islamic understanding of the human intellect as uncomplicated by the taint of original sin. Indeed it is a "basically optimistic" (1990a p. 34) account, which does not provide justification for failing to engage with the intellectual challenges of modernity. Nonetheless, it is to Christianity that Akhtar looks for a more positive response to modernity, arguing that:

Christianity is the only faith in the Semitic trio whose adherents still continue seriously to produce intellectual self-defence when challenged by the alien convictions of the contemporaneous age. (1990a p. 13)

For Akhtar, this statement implies a huge deficiency in Islamic thinking. Yet at the same time, he sees in Islam's resistance to modernity a source of strength, and in Christianity's adaptation to modernity capitulation to the secular enemy. Again, his desire to establish credibility for Islam in

a Western philosophical milieu, and his attachment to Islamic fundamentalism seem at odds. With respect to the British Muslim community, Akhtar's insistence on raising awkward questions has at times put him in a difficult position. Yet his philosophical and theological engagement with Western tradition may mark a new phase for Islamic thinking in the West. As Rippin concludes:

Just what the future might hold for this development is certainly unclear. For many Muslims, it would seem that even the opening of such questions for debate is going too far. For Akhtar, however, the failure to treat such questions openly and honestly could spell the end of Islam as a viable religion in the modern, secular context. (1993 p. 43)

5.6 Shari'ah: Sources, and Response to Change (i): Istihsan

By contrast with Kymlicka's Inuit (indigenous Canadian people, Chapter 3), British Muslims are inheritors of a vast and complex legal tradition. Islamic law (shari'ah) and jurisprudence (fiqh) are the central practical and intellectual disciplines of Islam. The term fiqh literally means 'understanding', that is of shari'ah (Coulson 1964 p. 3), and involves the "elucidation and application of the shari'ah" (Momen 1985 p. xix). Ethics (ilm-ul-akhlaq) are understood to be derived from shari'ah; there are no 'natural rights' or 'natural laws' beyond or above shari'ah to which to appeal, although as we shall see below the disputed principle of istihsan involves something like an appeal to a higher principle within shari'ah. The absence of a tradition of natural law, and the subordination of reason to revelation, suggests that any consideration of ethics in a plural context with Muslim participants cannot seek common ground apart from shari'ah. The centrality of shari'ah in Islam further suggests that any attempt to formulate policy and law for a society which includes Muslims and intends to be truly multi-cultural and multi-faith in its recognition of its citizens, must seek to recognise the importance of shari'ah for Muslims.

It is also important, however, to distinguish between the centrality of shari'ah in a theoretical account of Islamic tradition and its prominence in the lives and on the agendas of Muslim minorities in Western countries. In the UK, for example, Jorgen Nielsen (1994) has argued that the minimal use made by British Muslims of the two shari'ah councils¹² suggests that popular support for demands for the institution of Islamic family law by some Muslim groups is not strong¹³ - and this in the area of law which has remained most intact in Muslim sending societies (Ayubi 1991 pp. 35-47). Nonetheless, the distinctive character of shari'ah is important for an understanding of Islam and Muslim communities, and if MacIntyre is right that understanding

¹²These are (i) run by Prof. Zaki Badawi at the Muslim College, Creffield Rd, Ealing, and (ii) run by Mohammed Darsh under the auspices of the Muslim Home League.

¹³E.g. by the Union of Muslim Organisations (1975); in Nielsen (1993, 1994).

and agreement between traditions can only be achieved through an engagement with the substantive content of traditions and not through reference to external, a priori and supposedly universal criteria, then it is necessary to engage with this central feature of Islamic tradition.

It has been suggested that a helpful way to approach the interaction between traditional cultural minorities in the West and western society is to use MacIntyre's conception of tradition, and in particular his analyses of interactions between traditions (1977, 1988, 1991). As we saw above at 4.5, MacIntyre's account of western traditions is problematic, because of the range of meanings carried by a single term. However, as suggested at 4.5, it is possible to resolve some of these difficulties if one sees MacIntyre as using 'tradition' in two basic senses: in the stronger sense of a tradition of enquiry, capable of generating determinate forms of practical reasoning in the context of a shared telos, and in the weaker sense of a collection of ideas and practices with some common themes and shared history. Liberalism qualifying only as the latter, although some formulations of liberalism may qualify as the former (Galston 1991).

It may be noted that contemporary social theory may have become sceptical of such accounts because of the fateful impact of teleological narratives of society in modernity (e.g. nationalism, fascism, Marxism). Hence contemporary theories of society (especially liberal theories) tend to exclude a teleological dimension, making it difficult to consider them as traditions of enquiry in MacIntyre's sense.

However, in Islamic traditions a teleology of submission to divine will revealed in shari'ah remains powerfully present. To assert this is not to capitulate to Islamist ideology which seeks to homogenise the complex history of constrained disagreement between Islamic traditions, or to attempt to over-simplify relationships between shari'ah and society, but rather to suggest that both traditions within Islam, and the Islamic tradition as a whole, can be understood as traditions in MacIntyre's stronger sense of 'tradition of enquiry'.

It has been argued that any theory which seeks to recognise Muslim interests in a plural society needs to provide some representation of shari'ah; but the obstacles to this are considerable. The first problem of representation is its diversity and complexity. As we shall see in further detail below, the four Sunni law schools (madhahib), agree that there are four main sources or principles (usul) of law, but there are substantial differences between these schools over the interpretation of some of these. However, all are agreed that the Qur'an is the primary source of law. Revealed in Arabic, for many Muslims the Qur'an is held to be strictly speaking untranslatable, and this provides a second problem of representation. The special status of Arabic as the language of revelation can be seen in the world-wide resistance to the use of vernacular in

prayer and the prestige of memorising the Qur'an in Arabic. Thus while it is only understood by a minority of Muslims in the world (although many more are able to recite sections of the Qur'an), the Arabic language remains persistently normative across the Muslim world.

The importance of the Qur'an to shari'ah, and of Arabic to the Qur'an, complicates my attempt at representation as an 'outsider' with no knowledge of Arabic. Furthermore, the art of translation has a particularly prominent place in MacIntyre's account of traditions in interaction (1988 pp. 370-389). As we saw at 4.4, and shall discuss further below at 7.5, in an ideal MacIntyrean presentation of Islamic concepts the translator's understanding of Arabic would be such that it becomes a 'second first language'. Yet the importance of bringing distinctive Islamic concepts into conversation with Western concepts, especially in relation to the specific task of asking what relevance such an interaction might have for the construction of forms of community and political life in countries with minority Muslim populations may justify this attempt, acknowledging that without this competence it can only be done 'second hand', relying on the interpretative skills of others.

There are four main Sunni law schools: Hanafi, Maliki, Shafi'i and Hanbali, each named after a legal scholar of the eighth or ninth century CE. It has been argued that first two owe their distinctive character to origins in particular localities; hence the urban, cosmopolitan setting of Kufa is reflected in Hanafi law, while the strong tribal ties of the Arabian peninsula are evident in Maliki law (Coulson 1964 Ch. 2). By contrast, Shafi'i and Hanbali schools owe their origins to controversies in fiqh; in particular they reflect a desire to curb deviation from revealed law by the use of independent reason or opinion (ra'y). Initially these law schools operated in different geographical localities, although an adherent of one school had the right to be tried under that school even if he was living under the jurisdiction of another, an aspect of legal pluralism to which we shall return. However, by the late middle ages the dividing lines between the law schools were already beginning to relax, a process which has continued until the present to the extent that "in the legal practice of countries of the Near and Middle East, they [i.e. divisions between the schools] have almost totally disappeared" (Coulson 1964 p. 33).

Each of these schools recognises four sources (usul) of shari'ah: Qur'an, Sunna (the practice of the Prophet, derived from hadith, traditions about his life), ijma (consensus of the community) and qiyas (analogical reasoning). The Shi'a recognise these first three sources, but the Sunna of the Imams are also included in the second, while qiyas is rejected in favour of the broader category of 'aql (reasoning, intelligence). For both Sunni and Shi'a Islamic law is divided into two broad areas: ibadat (duties to Allah; the five pillars plus jihad) and mu'amalat (human relations). Most differences between Sunni and Shi'a are in terms of mu'amalat, in the spheres of marriage,

divorce and inheritance (Momen 1985 p. 338 note 1).

The Qur'an gives very little internal indication of the conditions which prompted its revelation, and therefore the hadith provide essential contextual clues to its interpretation, as well as other details of Mohammed's life, whose behaviour is held to be normative. In the event of internal inconsistencies, as in the case of zina, below, the later revelation supersedes the earlier one. Where Qur'an and hadith are unclear or do not legislate, the consensus of the community ('ijma) can function as a source of law. The meaning of 'ijma is disputed; for Shi'ites, Hanbalis and Wahhabis¹⁴ it is restricted to the generation of the companions of the Prophet and their immediate followers (Glassé 1989 p. 361), while for other schools it refers to the continuing Islamic community, although traditionally only to the 'ulema. Also, where the Qur'an or Sunna are unclear reasoning may proceed by analogy (qiyas) from these sources. Al-Shafi'i was particularly influential in presenting a coherent theory of law which confined the use of reason to analogy, a model which gradually gained acceptance from jurists in other schools (Kamali 1991 p. 261).

This system was developed during a two hundred year period which saw the consolidation of authority in the Islamic community (Rippin 1991). During the period of the Prophet and the 'rightly-guided caliphs' (in Sunni thought) religious and political authority were identified and unified in the person of the prophet or caliph. But following the death of Ali caliphal authority was diminished, particularly by the failure of the caliphate to establish a united Islamic polity. Amongst the Sunnis this led to a gulf between religious ideal and political reality, manifest in the 'ulema's (religious scholars) suspicion of the caliphate, although these remained largely supportive of whatever political authority was in power, in exchange for recognition of their legal authority (Ayubi 1991 Ch. 1). Amongst the Shi'ites the death of 'Ali led to the development of the doctrine of the imamate, in which the unity of religious and political authority were preserved. There were also early divisions between the Sunni 'ulema which led to the development of the four law schools.

The esteem of the 'rightly-guided' caliphate and the limitations imposed on all authority by dependence on the complete and final revelation of the Qur'an can be seen in the case of the penalties for zina (illicit sex). This example can be used to illustrate the juristic process of deriving the law from the authoritative sources, and the range of differences between the Sunni law schools. Zina refers to sexual intercourse outside marriage or concubinage, or in certain extenuating circumstances.¹⁵ In the Qur'an, chastity and fidelity are seen as characteristic of a

¹⁴Wahhabis: a Sunni reform movement originating in eighteenth century Arabia, now the legal tradition of Saudi Arabia.

¹⁵These are covered by shubha: the 'resemblance' of a criminal act to a legal act, (Gibb and Kraemers

believer, while there are warnings against zina (17:32, 25:68, 33:30). Sura 4 provides probably the earliest basis for legislation, stipulating the need for four witnesses (v. 18, Arberry 1983 p. 74) and prescribing the confinement of guilty women, but allowing scope for leniency:

And when two of you commit indecency,
punish them both; but if they repent
and make amends, then suffer them to be;
God turns, and is All-Compassionate. (4:20, Arberry 1983 p. 74)

However, this verse was abrogated by a later revelation, the occasion for which may have been suspicion of infidelity by one of the Prophet's wives (Gibb and Kraemers 1961 p. 658):

The fornicatress and the fornicator-
scourge each one of them a hundred stripes,
and in the matter of God's religion
let no tenderness for the them seize you
if you believe in God and the Last Day;
and let a party of the believers witness their chastisement. (24:2, Arberry 1983 p. 352)

The penalty is clear and unambiguous, and therefore qat'i, 'definitive', (Kamali 1991 p. 21).

However, the second caliph 'Umar is reported to have known a Qur'anic passage not found in the extant text, which reads:

When a married [or 'mature' muhsan, Gibb and Kraemers 1961 p. 658] man or woman
commits zina, their punishment shall be stoning as a retribution as ordained by God. (Kamali
1991 p. 157)

These texts provide two examples of naskh (abrogation). Usually naskh refers to the over-ruling of a law in the Qur'an or Sunna by a later revelation (within the lifetime of the prophet). This is naskh-al-hukm, in which the law in the earlier text is wholly or partially abrogated, but the text itself remains part of the Qur'an, and is illustrated in the relationship between the first two texts above. Only the particular content of the earlier text which is at variance with the later text is abrogated (e.g. in this case, the punishment); that which is not specifically abrogated (e.g. the requirement for four witnesses) remains in force. However, the third passage which does not appear in the extant Qur'anic text is regarded as naskh-al-tilawah, a text whose ruling remains in force, but whose words are not part of the Qur'an (Kamali 1991 p. 157).

Thus in fiqh flogging and stoning are separated as punishments for zina for two different categories of offenders. Offenders are judged to be muhsan ('mature'; this might be understood as a state of 'sexual majority') if they are free and have had intercourse in a legal marriage, whether

that marriage is extant or not (Gibb and Kraemers 1961 p. 658). The law schools vary over various details:

According to Hanafis and Hanbalis, both the guilty parties must fulfil these conditions; the Hanafis also demand that the muhsan should be a Muslim, while the Malikis consider neither of the punishments applicable to a non-Muslim. According to the Hanbalis, the guilty muhsan is at first flogged, then stoned. The banishment for a year after flogging is limited by the Malikis to the man, by the Hanafis to the discretion of the imam. (1961 p. 658)

All this suggests that Islamic law is highly conservative in its method, since scope for development in response to changed circumstances is confined to strictly governed derivation from the authoritative sources. However, as we have seen, these methods can lead to quite diverse outcomes. Furthermore, the principles of istihsan and ijtihad provide further means by which response to change can be made. The principle of istihsan will now be considered, leaving ijtihad for later for 5.7.

Istihsan literally means "to approve, or deem something preferable" (Kamali 1991 p. 246), and refers to the preference for the best of a number of possible solutions to a particular problem. Kamali (1991 p. 245) likens istihsan to equity in Western law in the sense that both can involve an appeal to justice beyond the letter of the law. However, whereas in Western thinking this can mean an appeal to natural law beyond positive law, no such higher law is posited in Islam; rather the only appeal that is permitted is to a higher (i.e. than a particular ruling) intention *within shari'ah*. Kamali points out that the concept has a history of controversy in Islamic tradition:

A glance at the existing literature shows how the ulema are preoccupied with the polemics over istihsan and have differed on almost every aspect of the subject. (1991 p. 246)

In the early literature of the Hanafi, Hanbali and Maliki schools approval is expressed of somewhat differing definitions of istihsan which have in common a "departure from existing precedent on the grounds of more compelling reasons" (1991 p. 249). However, the highly influential al-Shafi'i unequivocally condemned istihsan as "arbitrary law making in religion" (1991 p. 258), and his growing influence across the law schools seems to have led to a defensive technical redefinition of istihsan as a branch of qiyas. Kamali argues that this technical redefinition remains unconvincing and is clearly at variance with the use of istihsan by both Abu Hanifah, who was influential in the early development of the principle, as well as with the concept as refuted by al-Shafi'i (1991 pp. 259-261). Kamali goes on to argue that a clear limited role for istihsan as a principle of fiqh independent of qiyas would help to bridge the gap between theory and practice and facilitate response to diverse conditions.

Influential in Kamali's account are two early formulations of istihsan. Firstly, he cites Imam

Malik's comment that "istihsan is nine-tenth[s] of human knowledge", in conjunction with Abu Zahrah's gloss that "maslahah ('public interest') ... accounts for the larger part of [this] nine-tenth[s]" (1991 p. 248). Here istihsan is seen as a principle of judgement which is intrinsic to fiqh, and indeed to other areas of human knowledge. Secondly, he quotes ibn 'Arabi: "istihsan is to abandon exceptionally what is required by the law because applying the existing law would lead to a departure from some of its objectives" (1991 p. 249).

Such a principle formalises a flexibility which Kamali argues must be exercised occasionally, in response to new conditions and exceptional circumstances, and therefore is in fact exercised even by those who deny its validity, as al-Amidi, himself a Shafi'i jurist, has argued of Shafi'i (Kamali p. 259). Better, therefore, to formally recognise this principle and thus to be able to set proper limits on it. More positively, such a principle enables the development of law in accordance with revealed principles. Thus Kamali suggests that the priority of oral testimony in Islamic law at a time when methods such as "photography, sound recordings, laboratory analyses etc." may be equally or more reliable should be reconsidered, and that istihsan provides a way of doing this (1992 p. 248). The higher principle within shari'ah affirmed here is that the law requires the most reliable form of evidence, which is why oral testimony was originally prioritised, and why this priority must be re-examined in the light of new developments.

An issue of more obvious relevance to the thesis, the case of Salman Rushdie, may provide an appropriate case for the exercise of istihsan. While, as argued in 2.2, it is possible to see the rationale for Khomeini's verdict within shari'ah, it could also be argued that applying the law in this case could lead to a departure from its objectives, which include justice ('adl), mercy (rahma) and public interest (maslahah).

5.7 Shari'ah: Legal Pluralism, Practice, and Response to Change (ii): Ijtihad

As indicated above, early in their history (from the ninth century until the late middle ages) the four Sunni law schools operated within distinct geographical spheres of influence (Coulson 1964 p. 33), although adherents of a particular school had the right to be tried under the law of that school even if living in another jurisdiction. Such legal pluralism was also frequent in Christian dominated Europe during the medieval period, with ethnic groups defined by religion and language often permitted by the ruling power to operate their own legal system. For example, Alfonso I of Aragon granted to his Muslim subjects in Tuleda in 1115 CE that:

'They shall be and remain in lawsuits and in pleas under the qadi and their alguaciles (judge and deputies), as it was in the time of the Moors'. It was repeatedly specified that their

disputes be regulated by Islamic law (Sunna), not by any other custom. (Bartlett 1993 p. 208)

In the early years of Reconquest Spain such pluralism also applied in cases of inter-ethnic, and therefore inter-judicial, conflict. Thus Alfonso I's decree continues:

'If a Moor brings a lawsuit against a Christian or a Christian against a Moor the qadi of the Moors shall render judgement on the Moor according to Islamic law (zuna) and the qadi of the Christians shall render judgement on the Christian according to his law'. (Bartlett 1993 p. 209)

This tradition proved persistent, so that 150 years later the Hospitallers of Aragon used the same formula:

If a case arises between a Christian and a Saracen, the amin shall be the judge of the Saracen and a Christian shall be the judge of the Christian'. (Bartlett 1993 p. 209)

Like the provisions for protected minorities within Islam (dhimma)¹⁶ these decrees need to be placed in the context of "a great array of disabilities that were applied to native populations in the newly colonised areas" (Bartlett 1993 p. 211), and certainly do not reflect any concept of equality of religion or ethnicity. The degree of autonomy and the resolution of differences between these legal communities was largely governed by the power relations between the groups. Nonetheless, such legal pluralism, containing different legal communities within a common polity in both medieval dar-al-Islam and Christendom differs significantly from the shift towards legal and administrative uniformity which began in Europe in the late middle ages, and which heralded the emergence of the modern state. Thus in Europe in the late middle ages such legal pluralism declined, to be gradually replaced by a legal uniformity operating on territorial lines:

The long-term trend between the twelfth and the sixteenth centuries was away from personality to territoriality of the law, away from pluralism to uniformity. The road to *un roi, une loi, une foi* was a long one, but this is certainly a paved section of it. (Bartlett 1993 p. 220)

The legal structure which modern Europe inherited from the medieval period stems from three sources: Roman law, customary law (which refers to the inherited legal customs of a people) and the canon law of the Catholic church (Crump and Jacobs eds. 1926). In England the 'common

¹⁶Dhimma: the status of recognised religious minority within an Islamic jurisdiction. At the time of the Prophet these included the other 'people of the Book' (i.e. Jews and Christians) and Zoroastrians. They enjoyed some legal autonomy and control over internal community affairs, and were protected by the Islamic authorities in return for payment of a poll tax (jizya). They were not allowed to join the military, and generally not to take high government office. Their conditions varied through history and under different rulers; while their status is generally compared favourably with Jewish minorities under Christendom, they were sometimes persecuted (see Ye'or 1985).

law' tradition (so-called because it was common to all free English men) provides an additional source, and was initiated by Henry II as a counterweight to baronial authority in reforms between 1164 and 1170 (Nicholas 1992 p. 225) . The twelfth century saw a revival of Roman law,¹⁷ although this tradition had not been entirely lost during the preceding centuries; for example elements had been incorporated into the law codes of Germanic rulers (Nicholas 1992 pp. 243-4). Written law increasingly replaced oral codes, and partly through adoption of practices from ecclesiastical courts, trial by jury gradually began to replace trial by ordeal or combat (Nicholas 1992 p. 226).

Each of these measures contributed to the production of more systematic legal procedures, and these were complemented by an array of administrative and bureaucratic reforms. The principal driving force behind the institutionalisation of government was the mushrooming cost of wars, compelling kings to discover new and more efficient ways of raising revenue from their subjects (Nicholas 1992 p. 458). Here too was the genesis of medieval forms of representation which laid the foundations for the development of democracy, for the kings found that they could not extract ever greater taxation without consent. In different parts of Europe these developments took different forms; thus Germanic areas drew on their tradition of representation in local assemblies (Nicholas 1992 p. 244), in England the Roman law providing for the granting of proctorial power by a constituency to a representative eventually led to the development of a parliamentary system (Nicholas 1992 p. 462-4), while in the Iberian peninsula and France systems of representation based on estates developed (Nicholas 1992 p. 461 and pp. 465-6).

These changes, combined with the development of the capitalist mode of production, gave rise in Europe to the social, political and economic complex referred to as 'modernity'. This complex was to impact on the Muslim world principally through the experience of colonisation by European powers, after balance of power between Europe and the Ottomans shifted decisively in Europe's favour from the late seventeenth century. Hence, as was stated first at 2.10 above, the modern state, Western legal practices, democratic government and capitalist production were each initially experienced by Islamic societies as external pressures, a point which will also be salient when we discuss human rights below (5.8).

The pressure for Muslim countries to adapt to Western models of legal, social and political practice, has increased the tendency observed above for a cross-fertilisation between the law schools. Thus where shari'ah has become part of the law of a nation state there has been a pressure towards harmonisation between the law schools. The case of laws concerning women

¹⁷For a further discussion of the impact of twelfth century reform in Europe on the development of the characteristic institutions of modernity, see the discussion of Milbank's work at 7.2 below.

well illustrates the pressure to modernise, with the most liberal laws from each school often being selected by reformers. Thus Coulson (1964 pp. 36-7) writes that in Maliki Tunisia the law of marriage guardianship has been overturned in favour of the Hanafi position which enables women to conclude their own marriage contracts, while in Hanafi Syria the wider Maliki grounds for a woman to petition for divorce have been adopted. Such an eclectic approach to the law schools provides a further mechanism to enable adaptation to changing circumstances, and is illustrated in the UK by the practice of Mohammed Darsh (Nielsen 1994).

Further flexibility in shari'ah is possible at the level of implementation. Popular western opinion of Islamic law tends to see it is extremely rigid in theory and highly arbitrary in practice. But the complexity of shari'ah indicated above belies this perception, as does its implementation in practice, in at least some contexts. One such context is examined by Rosen in his (1987) study of shari'ah courts in contemporary Morocco, which is based on fieldwork conducted over a twenty year period. Rosen writes as an anthropologist also engaged in study of the American judicial system during the same period. One of his concerns is to refute the apparently widespread Western perception of the arbitrary nature of Islamic judicial discretion at the level of implementation by the qadi (magistrate). An illustration of this perception is provided by Lord Justice Frankfurter, here quoted by Makdisi:

This is a court of review, not a tribunal unbounded by rules. We do not sit like a kadi under a tree dispensing justice according to considerations of individual expediency (1985 p. 64)

Makdisi cites four examples of similar remarks made by American judges between 1948 and 1980. Rosen argues that the qadis in his study were not 'dispensing justice according to considerations of individual expediency', but rather exercising a coherent rationality. Furthermore, he contends that the logic exhibited by the Moroccan qadis was closer and hence more sensitive and appropriate to the population with which he was dealing than that of their American counterparts. On this basis it is possible to ask whether there may, after all, be lessons to be learned from the 'kadi under a tree' for Western systems of judicial rationality arguably grown distant from that of the population which they serve (Fraser 1984).

A structural difference between Western and Islamic legal systems also supports the contention that Islamic law can be closer to logic of the population served. This is the lack of a case law tradition, and the consequent absence of a special legal rationality or 'artificial reason' exercised at the level of implementation, as developed in the West.¹⁸ By contrast Islamic law does not rely

¹⁸Rosen illustrates the concept of artificial reason in English law with the example of as Sir James Coke's response to James I's meddling in legal affairs: law is not common sense, or even regal sense (Rosen 1987).

on an artificial reason developed by immersion in case history, but rather in its local application by the qadis depends upon exercise of the same reason as that culturally embedded in society. The emergence of a form of artificial reason developed through case law was prevented by an early separation between judges (qadis) and the scholars ('ulema); the former had no right to legislate, but only to apply existing law, so no genealogies of law based on the contingencies of case law could develop.

However, this structural advantage can also be reversed, for it meant that legal tradition developed in isolation from the 'interruptions' of everyday life, since it was not shaped in response to particular cases. Thus, while at the coal face of dispensing justice the qadi's reason remained culturally relevant, this group were increasingly obliged to proceed without the benefit of scholarly discussions, which frequently became preoccupied with imagined cases, idealised and abstruse. The gulf between the 'ulema and qadis was further widened by the development of caliphal courts independent of shari'ah courts, while a gap opened up between the qadis and the people by the political (initially caliphal) appointment of qadis.

Thus while shari'ah was seen as all-encompassing and unified in theory,¹⁹ in practice it has tended to operate in parallel with a system of grievance courts which have taken over jurisdiction in many matters of public law. As Esposito comments:

Though in theory the Shari'ah was the only officially recognised system of law, in practice a parallel system of caliphal laws and courts existed from the earliest times. ... Shari'ah courts ... were increasingly restricted to family law and the handling of religious endowments, ... Grievance courts dealt with public law (criminal, land and commercial regulation). (1994 pp. 87-100)

In his study, Rosen develops some further generalised contrasts between Western and Islamic law:

Islam, with its heavily contractual image of the relationship between God and man, its insistence that each man is responsible for his own actions, and its emphasis on the freedom of man to engage in negotiated arrangements that do not violate some clearly prescribed claim of Allah, encouraged exchange relationships of a highly personal nature. The law could enforce those aspects of human relationship that touched on the prescriptions of God as contained in the Qur'an, but unlike the Old Testament of Roman Canon Law the number and extent of these divine claims on man was rather small. (Rosen 1987 p. 60)

This can be contrasted with the Enlightenment picture of a limited secular sphere subject to

¹⁹As Fazlur Rahman states, "Islamic law, from the beginning, was conceived as an indivisible totality in the sense that it derived from God's word and hence possessed the same and uniform divine sanction" (in Weeramantry 1988 p. 3). Rahman argues that this understanding is implied in the Qur'an itself, where God's primary purpose in sending revealed books is said to be to settle disputes between people - and the Qur'an is the final and definitive revealed book (Surah 2:213).

unlimited human regulation (Bauman 1992a) bounded (if at all) by a privatised sacred sphere which is not permitted to impinge on the public sphere. A contemporary example of this Enlightenment model is Rawls' concept of 'political liberalism' (1993 and 3.1, 3.2), in which a political sphere characterised by overlapping consensus concerning certain practical matters is fenced off from the competing claims of comprehensive theories, such as religions. Thus what is central and unnegotiable for Islam (divine revelation) is peripheral and essentially contestable for liberalism, while what is central, and if not unnegotiable then essential for liberalism (i.e. an 'overlapping consensus') can be open for negotiation in Islam.

Thus, two areas of limitation on Islamic law have been noted. As we have just seen, while it claims universal validity for its core obligations and prohibitions, it does not claim universal scope, but instead allows considerable room for negotiation between individuals (Rosen 1987). And, as we saw above, limitations were placed on its scope by the development of caliphal courts. These limitations placed on shari'ah courts by rulers reflected not only the reluctance of rulers to be bound by shari'ah, but also the limitations of shari'ah procedure, such as reliance on sworn testimony, the absence of cross-questioning of witnesses, and the exclusion of circumstantial evidence. A third limitation has been the widespread Sunni belief in a decline of conditions since the demise of the last rightly guided caliph, which has been taken to imply that the application of shari'ah should be tempered to the tenor of the times, as it would be inappropriate to impose full penalties in a corrupt age.

A fourth limitation is that the validity of shari'ah is to some extent dependent on the willingness of individuals and communities to consent to it, for it is binding only to a limited extent on dissenting religious communities within Islamic territories, and also limited in the scope of its application for Muslims outside Islamic territories. Thus Schacht writes:

Islamic law does not claim universal validity; it is binding for the Muslim to its full extent only in the territory of the Islamic state, to a slightly lesser extent in enemy territory, and for the non-Muslim only to a limited extent in Islamic territory. (Schacht 1964 p. 199)

This aspect of the personality of law, which varies in scope of application not just with territory but with the beliefs and cultural identity of the subject, contrasts with the territorial definition and egalitarian ethos of modern Western law. However, also Western legal systems vary in the extent to which they recognise legal plurality; English courts are able to refer some aspects of inheritance and family law to appropriate authorities in Jewish and Muslim communities given the consent of all parties (Nielsen 1994), and have been shown to accommodate cultural difference in the adjudication of a number of cases (Poulter 1987 and above 2.12).

Given these limitations, in Muslim societies shari'ah has thus persisted both as part of everyday

life, governing but also drawing upon practices and relationships in Islamic communities, providing some stability in the face of political turmoil, and also acting as an ideal. From the eighteenth century its practical influence has been further diminished in some areas by colonial rule (although most administrations retained it in some form), and by attempts to reform and integrate it with modern legal systems in modern and post-colonial Muslim countries. These factors lead Nielsen (1994) to argue that shari'ah is more remote from the lives of everyday Muslims in Muslim countries than British law is to Britons. He explains Rosen's (1987; see above) very different conclusions in terms of the location of Rosen's fieldwork in an isolated area where the impact of urbanisation and central administration (colonial or modern Muslim) had been minimal.

But even if Nielsen is right, and Rosen's work is unrepresentative of popular perceptions of shari'ah among Muslims in the modern world, this does not necessarily diminish the value of Rosen's study for the argument here. If Rosen enables us to reach behind the intrusion of modernity to see the closer relations between law and local cultural meanings which prevailed in pre-modern Islamic societies then this is valuable as a insight into a living tradition, in MacIntyre's sense. It provides a challenge to consider whether a more organic relation between law and culture is desirable or possible in more complex modern societies. However, the presence of the personality of law in medieval Europe and its decline with the advent of modernity suggests that such an organic relationship cannot survive the impact of modernity. Yet if it is deemed desirable, it remains an open question as to whether it can somehow be reconstructed. At any rate, Rosen's work has served its primary function of demonstrating that Islamic legal rationality in practice is not arbitrary.

In spite of these various limitations and processes of change, the status of shari'ah as an ideal has been preserved by several factors. Firstly, the unquestionable authority of its primary source, the Qur'an and Sunna, through which an appeal can be made back to the ideal era of the Prophet, and, in the case of the majority of Sunnis, the first four caliphs. Secondly, the separation of judges and jurists gave shari'a some autonomy from social and political vicissitudes. Thirdly, the 'closing of the gate of ijtihad' (literally 'effort'; this refers to new interpretation) around the tenth century, further insulated shari'ah against change. This doctrine exerted a powerful conservative influence on Sunni Islamic law, which persists up to the present. Shi'as, by contrast, have never stopped the practice of ijtihad, and indeed its use has increased since the mid nineteenth century (Momen 1985). Furthermore in Sunni Islam, in the nineteenth and twentieth centuries some reformers have seen fit to 're-open the gate' of ijtihad, as well as challenging the legitimacy of the original 'closing of the gate' (Esposito 1994 p. 116). Even relatively conservative scholars like 'Abdur Rahman, who reject most modern attempts at reform, insist that ijtihad if properly

exercised in the sense of "an effort or exercise to arrive at one's own judgement ... the use of human reason in the elaboration and explanation of shari'ah law" (Rahman A 1984 p. 69), remains an important and legitimate weapon in the religious scholar's armoury in responding to changing conditions. In relation to the traditional decision to close the gate of ijtihad he comments:

During the period when Baghdad was under the mercy of the nomadic warriors of central Asia, [Moghuls, fourteenth century CE] the jurists in Iraq reached a wrong consensus to close the door of ijtihad which they had not practised much anyway since the tenth century AD. No one, in fact, had a right to put a stop to the process of ijtihad. (1984 p. 69)

Therefore, in response to modernity, a range of Muslim scholars have argued for re-opening the gates of ijtihad, although what this means in practice varies widely.²⁰ It has sometimes involved a prioritisation of fresh reading of the Qur'an and Sunna over the juristic tradition. But far from weakening the sense of the ideal quality of Islamic law, such moves have tended to appeal to it.

In summary, shari'ah can respond to changing circumstances through a variety of procedures, including istihsan, ijtihad and drawing on different law schools, and at the level of implementation through the discretion of the qadi. Shari'ah has persisted in the Muslim world both as an ideal and practice, although the latter has been limited by the presence of parallel caliphal courts and their successors, and since the colonial period to largely confined to family law. However, there are important exceptions including Saudi Arabia and post-revolutionary Iran, while in some other countries Islamisation programmes have re-extended its scope (e.g. Pakistan, Egypt; Ayubi 1992). Indeed a much wider range of Muslim countries have expressed reservations concerning the universal appropriateness of Western law, in the form of the international law of human rights, which will now be considered.

5.8 Shari'ah and International Human Rights: Tradition and Negative Freedom

The complex relation between law, social life and politics in Islam (a complexity which belies the popular view of an uncomplicated fusion of the two), and the contrasts which have been noted between Western and Islamic law, provide a background for considering the relation between shari'ah and human rights, a vital concern for the common good in a plural society which includes Muslim citizens. In the international arena the Western claim to provide a universal discourse finds an expression in documents such as the 'Universal Declaration of Human Rights' (UDHR).

²⁰ Exemplars of the practice include Muhammad 'Abduh in Egypt and Muhammad Iqbal in India (Coulson 1964 p. 202).

Apologists for Islam to the West, such as the Sri Lankan scholar Weeramantry (1988), argue that Islam is far more hospitable to human rights than popular Western perceptions might suggest. Firstly, he argues that Islamic thought contributed significantly to the development of European Enlightenment tradition which underlies present Western articulations of human rights. He presents his case by illustrating Islamic influences on a range of seminal Enlightenment thinkers, including Locke, Rousseau, Montesquieu, Savigny and the German historical school (1988 pp. 105-9). He contrasts Locke's disillusionment with scholasticism in his Oxford days with his keen interest in the lectures of Edward Pococke, Oxford's first Professor of Arabic, and points to the parallels between Locke's 'innovations' in Western philosophy and certain Islamic concepts, including:

trusteeship of power for the benefit of the governed, inalienable rights of the individual which no government can take away, and the removability of the ruler if he failed to keep his trust. (1988, p. 105)

Such "thoughts were not new to the Arabs, but basic propositions of their political philosophy" (1988 p. 105). However, Weeramantry neglects the Christian sources of Locke's thinking, for Locke was influenced both by Thomists, amongst whom "the contention that rulers only have legitimacy if they seek to serve the common good" was common, and by Calvinists, who held that governments must be bound by law and enshrined the right to resist tyrannical governments within their constitutions (De Gruchy 1995 pp. 80-1).

Furthermore the light of Locke's overriding concern for civic peace (Galston 1991) one may wish to question the attribution of inalienable rights to Locke's philosophy; but this phrase also seems odd in an Islamic context. Rather, Locke, like Islamic traditions as well as Calvinism and Thomism, all stress the common good over individual rights. A fundamental difference between this position and later, post Millian, articulations of rights is the concept of 'negative freedom', which suggests entitlements without obligations. For the earlier position, rights are reciprocally related to roles and responsibilities, and can perhaps best be described as 'covenantal'.

Thus Locke and other early classical liberals share with Muslims and Christians a theistic foundation for human rights, one which includes the role of humanity in creation; as Khalifah ('Allah's deputy') or as 'steward' in Christian tradition. Historically, freedom in these traditions has been exercised within a presumed religious framework. Such an understanding of humanity and society contrasts with the autonomous subject and secular public sphere presupposed by later theories of rights; indeed the latter were sometimes developed in direct opposition to theistic traditions:

the displacement of God in the interests of human emancipation...has not meant the

displacement of the functions attributed to God, but the shifting of those functions to human reason and will. (De Gruchy 1995 p. 235)

Thus Weeramantry's argument does not take sufficient account of the development of the secular Western notion of autonomy and hence negative freedom. Nonetheless, the common theistic root with Locke, quite possibly awakened and developed through exposure to Islamic philosophy, although not exclusively so, points to aspects of Islamic tradition potentially compatible with certain notions of human rights.

To further support his case, Weeramantry argues that Islamic conceptions analogous to international human rights law can be discerned prior to and independent of Western influence. For example, shari'ah is both in theory and practice not tied to particular polities. This contrasts with Western law prior to the advent of modern international law, although in the West the tradition of natural law has long provided a potential anchor for such developments. Furthermore, in practice shari'ah has exercised jurisdiction under widely differing conditions:

Despite vast cultural differences Islamic law has provided an underlying sense of identity, a common code of behaviour, for Muslim societies. (Esposito 1994 p. 76)

Shari'ah also embodies many conceptions of human dignity analogous to human rights discourse.

Thus Weeramantry argues:

Every member of the community has the right to share public responsibility with the ruler, every individual has the right to correct the ruler and to attack his decisions if he commits an error. Life, liberty, property and honour are inviolable...

Since this elevated position of the individual is preordained and eternal, human freedom cannot be transitory or dependent upon a ruler. ... Human freedom and dignity do not depend upon whether one belongs to the fold of Islam. Being part of the human condition these attributes belong to all humans and must be respected by every Muslim. (Weeramantry 1988 pp. 114-5)

Such a picture is strongly at odds with Western images of Islamic law, which have been created by the human rights records of some Islamic countries, and by liberal horror at shari'ah penalties, which is also influenced by orientalist caricature. But while Weeramantry's argument has some strengths, it disingenuously omits the crucial difference between modern and premodern tolerance - the principle of equality between all human subjects, which has rendered increasingly problematic the premodern resolution of difference as social hierarchy.

In 5.7, drawing on Rosen's (1987) account of a Moroccan shari'ah court and considering other aspects of Islamic law, it was suggested that in contrast to any perception of arbitrary tyranny Islamic law embodies its own judicial rationality. Yet before Weeramantry's argument that

shari'ah is fundamentally affirmative of human rights discourse appears plausible, further sources of incredulity must be considered.

Particular concerns of Westerners focus on the rights of women, specifically in the areas of polygamy, unilateral divorce, corporal punishment, and veiling (Schwartlander and Bielefeldt 1994 p. 32). If we recall the relation between rights and duties fundamental to a theistic understanding of human rights, then gender differentiation in shari'ah can be understood in relation to different divinely ordained roles in society, although there is a diversity of opinion on this point (Rippin 1993 pp. 85-97). Feminist, radical and reformist Muslims have all argued that the Qur'an and hadith present a much more active role for women than traditional interpretations permit, but it remains to be seen how positions which promote equality, such as that advocated by the Moroccan feminist scholar Fatima Mernissi, will fare (Mernissi 1988, Rippin 1993 pp. 115-126).

Contrary to Weeramantry, Mernissi sees the basis of Islamic law in obedience (ta'a) as radically opposed to rights-based systems. Thus she writes:

When we speak about the conflict between Islam and democracy we are in fact talking about an eminently legal conflict. If the basic reference for Islam is the Koran, for democracy it is effectively the United Nations Charter, which is above all a superlaw. ... One law gives citizens freedom of thought, while the shari'a, in its official interpretation based on ta'a (obedience) condemns it. (1993 p. 60)

Weeramantry's position apparently also contradicts MacIntyre, who asserts that:

... there is no expression in any ancient or medieval language correctly translated by our expression 'a right' until near the close of the middle ages: the concept lacks any means of expression in Hebrew, Greek, Latin *or Arabic*, classical or medieval, before about 1400, let alone in old English, or in Japanese until as late as the mid nineteenth century. (1985 p. 69, emphasis added)

A resolution to this apparent contradiction may have already been provided in the distinction between positive rights, entailing responsibility, and negative rights, which are purely about entitlement with no qualifying requirements. It is the latter which is particular to modernity, although both are ideal types: in traditional systems lapses in fulfilment of duties may not always entail a precisely reciprocal loss of rights, while modern human rights legislation continues to make reference to corresponding obligations. Nonetheless, the distinction remains valid, but unfortunately, it is one which both Weeramantry and MacIntyre fail to make.

MacIntyre's assertion needs to be seen in the context of his account of the relation between social roles, virtues and teleology. It is only when the teleological fabric of traditions begins to

disintegrate that a negative concept of freedom, freedom without purpose, is able to emerge. For MacIntyre, presumably, shari'ah would provide a better structure for the defence of human dignity and liberty than liberal premises; yet it may be suggested MacIntyre fails to do justice to the possibility of a liberalism understood as a tradition (Galston 1991).

The novelty of the modern conception of negative rights receives support from Gray (1986), but he also emphasises that the polarity between individual and collective conceptions of duties and rights should not be exaggerated. Thus he states that "the dominant idea of natural rights among the ancients was duty based" (1986 p. 4), but he sees in Roman jurisdiction before Constantine "the achievement for a period of Roman history of an individualistic legal order" (1986 p. 5)

The context of debates about human rights in the Islamic world today also needs to be considered. While declarations of rights may be largely inspired by the desire to protect minorities, their supposed universal character makes criticism of the cultural assumptions which inform them problematic, and they have been criticised by Muslims for their reliance on Western conceptions. Thus Kevin Dwyer reflects on his experience of working as an American anthropologist investigating concepts and practices of human rights in the context of the Arab world:

To those who argue that attaining full human rights is a universal human aspiration, others may respond that the notion of human rights is simply a product of one particular civilisation's history. ... many Middle Easterners have ideas about human rights that ... must be understood in the context of the sustained engagement between the Middle East and the West going back to the time of Muslim penetration into Spain and Europe in the eighth century, through the Crusades of the eleventh century and beyond, and into the more recent colonial and post-colonial periods. This context has forged complex, many-tiered, starkly ambivalent, and often actively hostile attitudes in many Middle Easterners towards Western traditions, Western forces, and Westerners themselves. The idea of 'human rights', closely associated with the West over the last few decades, is prey to the same complexity. (Dwyer 1991 pp. 1-2)

Can the divergence between the theory of Weeramantry and the history of conflict described by Dwyer be reconciled? Dwyer and Weeramantry both agree that it is the denial of an Islamic voice in the formulation of existing 'universal' conceptions of human rights which is at the root of many Muslim objections to human rights, rather than the notion of human rights per se which is antithetical to the Islamic spirit. Thus while Weeramantry argues that Islamic voices influenced the genesis of rights discourse in Europe, he also contends that they have subsequently been neglected, and urges their inclusion:

While the UN Universal Declaration of Human Rights and succeeding documents built up an important body of universal doctrine, there has been a mounting volume of criticism of these norms on the basis that they incorporate Western-oriented ideas and that, especially at the time of the Universal Declaration, insufficient note was taken of other traditions, especially the Islamic. ... If [the benefits of the UNUDHR]... are to be preserved and built upon, more understanding of the Islamic legal tradition is important. (1988 p. 168)

But if Dwyer's apparent differences to Weeramantry converge to a common observation on the neglect of specifically Islamic conceptions of human rights, the question arises: if contemporary Western and Islamic conceptions of human rights are premised on contrasting understands of God, the world and human nature, can they be deployed in constructive interaction in shared contexts?

Positive and negative freedom and rights can be presented as fundamentally different. Yet, as we found with contrasts between the practice of freedom in Western and traditional societies (e.g. censorship, 2.12), it is possible that the extent to which modern negative conceptions of human rights are free from responsibilities has been exaggerated by liberal apologists. For example, at 2.12 Poulter's analysis of the interaction between freedom of religion and freedom of expression in European law was discussed. The latter insists that even material which may "shock, offend or disturb any section of the population" must be permitted in the interests of "democratic society" (Poulter 1990 p. 18). Yet Poulter also shows that the implementation of this legislation in the case of Whitehouse vs. Lemon, where Gay News' appeal to the European Court of Human Rights was rejected, suggests rather different principles operate in practice. Furthermore, Poulter notes the emphasis on responsibilities and obligations in the wording of the European Convention on Human Rights (ECHR).

It is possible that a clearer recognition of the contextual constraints inevitably operative on human rights in practice, and of the obligations which citizenship in any society entails, would help Muslims and liberals to develop a more closely shared picture of the field of human rights in actual societies, even though fundamental differences will remain. On the liberal side there is understandable reluctance to muddy the clear waters of human rights with the sediment of contextualisation, because the whole point of the rights is that they provide a clear standard independent of politics, society or culture. Yet Western insistence on respect for human rights will fall on deaf ears until it is realised that such insistence is frequently perceived as at best post-colonial paternalism, at worst a cynical ploy to distract from fundamental global inequalities. These interpretations touch on larger issues which a change in rights discourse alone is unlikely to effect.

It may be a travesty to compare human rights to Coca-Cola as another American global export. Yet an attempt to articulate culturally authentic human rights, even if that threatens the liberal humanism which underlies their current articulation, is surely better than a dogged and blind insistence that the West alone already possesses 'the real thing'. The paucity of sociological accounts of human rights (Turner 1993) makes the process of developing models of the

relationship of human rights to culture and society picture more difficult. The insistence on the necessity of a clear standard of human rights for their effective operationalization may well underlie sociological reluctance to theorise about human rights. Or it may be a symptom of modern 'adiaphorization' (Bauman 1989, 1.13 above), or of a mistaken fact-value divide (MacIntyre 1985, 4.1 above).

Several attempts have been made by Muslim groups to articulate distinctively Islamic conceptions of human rights. Two examples are the 1981 Universal Islamic Declaration of Human Rights (UIDR) and the 1990 Cairo Declaration on Human Rights in Islam (CDHR). These have been discussed by the Catholic German Bishops' Conference Research Group on the Universal Tasks of the Church, as part of their efforts to promote Muslim-Christian co-operation in the field of human rights (Schwartlander and Bielefeldt 1994). The bishops were disappointed by the failure of these documents to critically address contentious issues such as corporal punishment, inter-faith marriage and women's rights. Instead, "the general tendency is to 'harmonise' contradictions rather than reconcile them critically", a procedure which tends to involve subordinating differences to shari'ah, as in the case of religious liberty, where missionary work is specifically prohibited by the CDHR (Schwartlander and Bielefeldt 1994 p. 33-4).

By contrast with official pronouncements, the bishops recognise the openness of some Muslim reformers to human rights issues (e.g. Merad, Talbi), stress the importance of Islamic tradition in the arguments of these reformers, and look forward to future developments. As we saw with Akhtar in some passages, in these there is an attempt to discern intention behind the letter, emphasising the original meaning of shari'ah as 'path'. The juristic principle of istihsan, discussed at 5.6, is clearly a relevant resource here, as is ijtihad (5.7). The bishops quote Merad on istihsan, the attempt to discern a higher principle within shari'ah:

We must therefore strive to peer through the contingencies of history in order to discover the very direction in which revelation points, to formulate normative criteria, and to find out what God's intention is. But this is a hazardous route to take. (In Schwartlander and Bielefeldt 1994 p. 36)

Indeed, too hazardous for most Muslims, and for good reasons; the idea that one can discern the intention of God comes dangerously close to shirk ('association', i.e. of something concrete with Allah's ineffable mystery). As we have seen, Weeramantry also offers a possible interpretation of the Qur'an and shari'ah which is supportive of human rights, but while such a position can be supported by historical examples - as in the protected status of subject peoples (dhimmi), which contrasts favourably with the arrangements of medieval Christendom, in practice the emphasis on obedience and hierarchy has predominated over any emphasis on liberty and universal equality. Thus in the present the bishops conclude that "the readiness for open and self-critical revision of

the shari'ah tradition is apparently rare", but pragmatically stress that "the opportunities for a step-by step mediation between the shari'ah and human rights should not be underestimated" (Schwartlander and Bielefeldt 1994 p. 35)

The bishops openly acknowledge the difficulties raised by human rights for both Christianity and Islam:

It is the inner connection between the ... claim of universality, emancipatory essence, [and] legal implementation ... which constitutes human rights as a specifically modern phenomenon. ... [H]uman rights cannot simply be deduced from Christian and Muslim traditions. ... Religious liberty is traditionally unknown to Islam, and it does not belong to the traditional values of Christian churches either. (Schwartlander and Bielefeldt 1994 pp. 17-21)

The reason for this is that both have understood human activity in relation to divinely ordained human ends; negative freedom is therefore not a right but an invitation to sin. Christianity has adapted to the secular open or negative conceptions of freedom, but arguably at the cost of its own integrity (Milbank 1990 - see Chapter 7 below). More positively, it could be argued that Christians have learned to see new possibilities in their tradition and have learned through interaction with secular traditions, and that the same may be true for Muslims. Thus it can also be argued historically that Christian groups of the 'Radical Reformation' of the sixteenth century and the radicals stemming from the English Commonwealth in the seventeenth century were the first to advocate freedom of religion and the equality of individuals, both fundamental tenets of human rights (De Gruchy 1995 pp. 73-5, 84-7). We shall return to the issue of Christian perspectives on human rights when discussing the implications of Milbank's work at 8.1.

Historically, Muslims have been suspicious of the free exercise of reason since the defeat of the Mutazilites, a tendency which meant that while Islamic philosophers such as Ibn Rushd had a great influence on the development of European philosophy, they were marginalised in the Islamic world (Leaman 1985). Further, as we saw at 1.7, Mernissi sees the reason for this suspicion more deeply embedded in Islamic tradition, in the association of freedom with anarchy in *jahilliya*, and the converse positive association of submission to Allah with order and peace. Yet, as we have also seen (5.7), for some modernists and radicals the gate of *ijtihad* is open again. As British Muslims are increasingly led by people who are confident in Western culture, the fear of innovation (*bi'da*) may yet be replaced by a new flourishing of creative interpretation. Two radical Muslim writers who have addressed the British context call for a reclamation of Islamic philosophical and humanist traditions (Akhtar 1990, Sardar (ed.) 1991). Furthermore, given the centrality of law in the broadest sense to Islam, it is possible that renewed interest in specifically Islamic conceptions of legal rationality could form part of such a revival. This brings us back to the question of whether a more positive relation between liberalism and Islam is possible in plural

liberal societies. Is there a way of combining virtue sustaining tradition with the psychological, social and economic conditions of modernity? The next chapter examines Christian responses to this question.

Chapter 6: Christianity, the Plural Public Arena and the Common Good

6.1 Introduction

Guide this and every nation in the ways of justice and of peace, that men may honour one another, and seek the common good. (Alternative Service Book of the Church of England p. 125)

Every Sunday, or whenever the Alternative Service Book version of the communion service is celebrated, this prayer is said by Anglicans across the world. But how should Christian communities seek the common good in a plural, secularised society? This chapter will apply MacIntyre's model of tradition to Christian communities in Britain, both to analyse existing practice, and to explore how Christianity as a tradition might respond to challenges of plurality in the public arena. Chapter 3 examined liberal responses to plurality, while Chapter 4 presented MacIntyre's critique of liberalism, and argued that his model of traditions of enquiry in interaction could provide the basis for re-thinking multiculturalism. Chapter 5 sought to apply this model to Muslim communities in Britain, considering the shortcomings of liberal models of minority rights in meeting Muslim aspirations, characterising the diversity of those aspirations, and seeking to understand something of the character of Islam as a tradition of enquiry by investigating some aspects of shari'ah, and considering issues concerning Islam and human rights. That attempt to apply a tradition of enquiry based model proved to be an exercise in mutually critical correlation. For just as understanding Islam as a tradition of enquiry may shed some light on Muslim integration into plural, secularised societies, so the emphasis on the distinctiveness and intellectual integrity of traditions in MacIntyre is challenged by the diversity of actual communities. In particular, the challenge to MacIntyre's model is to recognise the variety of traditional and modern influences on Muslim individuals and communities.

This chapter begins by sketching some of the challenges with which plurality presents British Christians (6.2), and then turns to consider the impact of modernity on Christianity, especially in Britain (6.3), where, in contrast with most Muslim societies, modernity has been experienced as change driven from within society. Three responses to both to modernity and plurality are then considered: the theological development of attempts to legislate about salvation (6.4), the inter-faith development represented by the German Catholic bishops' paper on Christian and Muslim responses to human rights (6.5; see also 5.8), and an older theological response to plurality and modernity, that of the Christendom Group between the 1930s and the 1950s (6.6). The latter is seen to anticipate postliberal theology in its criticisms of liberalism, but fails to take adequate account of religious and cultural plurality. Postliberal theology is then examined (6.7), which

forms a background to a fuller consideration of the work of John Milbank, the principal subject of Chapter 7. In examining postliberal theology the related charges of 'sectarianism', 'isolationism' and 'fideism' will be explored, building on the defence of MacIntyre against this charge (at 4.7 above). Finally, this chapter examines the functioning of Christian communities as communities of virtue in a plural society, taking as examples the evidence presented by Robin Gill in Moral Communities (1992, 6.8 below).

6.2 Challenges to British Christians

The points at which religious plurality is most likely to impinge on the lives of Christians in Britain are located in the public arena: in schools, as pupils, parents, teachers and governors, in other work place settings or on civic occasions, perhaps through the public celebration of festivals, and especially through the media. Issues of religious plurality and ethnicity are also likely to be entangled; the churches face the issue of how best to combat racism in society and within themselves (Leech 1988).

Less directly encountered, perhaps, but relevant to many sites of public encounter, is the formal means of regulating public space: the law. How should Christians respond to the challenge of forming rules for the regulation of public space in a plural society? Some current and recent debates have focused on education legislation: on the interpretation of the 1988 Education Act's provisions for religious education and worship,¹ on the partiality of provision for voluntary-aided status schools in relation to some minority religious groups, and occasionally on the possible anomaly of an 'established' Church of England in a multi-faith, secularised society. As we saw at 2.12, The Satanic Verses controversy raised another range of legal questions, which partly related to the regulation of speech in the public arena. As we saw, further questions may be asked about whose interests are served by the present legal boundaries.²

Furthermore, Christianity has recently been invoked by some parties as a source of the common good - most notably as providing, through the media of religious education and collective school worship, a kind of cement to bind the moral fabric of the British nation.³ Such a notion seems to have influenced recent government policy, as Hargreaves comments:

recent ministers apparently believe that moral education, a central concern in any system of

¹Also see Chapter 8 (8.5 below).

²These protect 'national interest', personal reputation (of those who can afford to proceed with libel suits), 'racial', but not religious groups (except in Northern Ireland) from incitement to violence or hatred, and Christian sensibilities (blasphemy; CRE 1990a, 2.12 above).

³A view with historic precedent, for example in the Christendom group, considered at 6.6 below.

cultural transmission designed to promote social cohesion, is best provided - or in their terms 'delivered' - through a (largely Christian) religious education (Hargreaves in King and Reiss eds. 1993 pp. vii-viii).

How are Christians to respond to the challenges posed by these issues? Should Christians support or oppose Muslim calls for 'separate' schools? Should they welcome or resist a renewed emphasis on 'Christian basics' in RE? How should they reflect on Muslim outrage at The Satanic Verses? These are some of the questions which Christians in a secularised and religiously plural context need to address.

First, let us consider the context of the official Church of England guidance on inter-faith matters, as contained in the Faith in the City report (Archbishop of Canterbury's Commission on Urban Priority Areas 1986). The report devotes one and a half of its 398 pages to "The Gospel and Other Faiths"; this perhaps helps to put the significance of religious plurality to Christian communities in Britain in some kind of perspective.⁴ The Commission concludes that the theological issues involved remain unresolved, but make three main points which focus on practical responses. Firstly, they argue that:

confrontation is no longer an appropriate stance in the face of the evident dedication, spirituality and search for truth evinced by so many members of other faiths. (1986 p. 60)

This position is concordant with a MacIntyrean view of other faiths as traditions with their own integrity. Secondly, the Commission urges a holistic consideration of context, which once again fits with a MacIntyrean view of tradition:

Their [i.e. adherents of other faiths] right to practice their religion, and to preserve their religious and cultural identity, is not separable from their right to decent housing, employment and social provision. (1986 p. 61)

Where this position falls short of a MacIntyrean position is in recognising that 'the religious and cultural identity' of these groups may not be conveniently secularisable, and may include, as we have seen, distinctive conceptions of the public arena. Perhaps through encounter with people from other traditions Christians can come to realise how tied to a particular secularised western context British Christianity is, and be spurred to develop new forms of political theology.

Thirdly, the Commission recommends that Christian service to the community should include a "generous use of church resources", which may involve generosity with material resources, like

⁴ This does not represent the Church of England's total output of official guidance on inter-faith matters; see for example the Inter-Faith Consultative Group's 'Multi-Faith Worship' (1992), or the Anglican contribution to In Good Faith (1991), produced by the Committee for Relations with People of Other Faiths of the Council of Churches for Britain and Ireland. Nonetheless, it seems reasonable to suggest that the space devoted to inter-faith matters in a report considering the totality of the Church's political and social relations is some indication of the priority given to the issue, at least prior to The Satanic Verses controversy.

premises, or political resources, making use of the churches' place in public life.

However, to properly address the challenges facing British Christians in inter-faith encounter, the context of the relation between Christianity and a secularised public arena must be considered. A important question for MacIntyre's diagnosis of modernity to address is: 'Is there a way of maintaining virtue-sustaining tradition under modern conditions?' For, as we have seen, MacIntyre argues that modern conditions are corrosive of the kind of tradition which gives coherence to moral, social and intellectual life. Christianity has, of all the religions of the world, the longest experience of modernity, but does this mean that it has best learned to cope with it, or been most corrupted by it? What arrangements has Christianity made with liberalism to ensure its survival in liberal societies? Is there a case for Muslims and Christians, as members of virtue-sustaining traditions, to make common cause against a common secular enemy? Certainly some Muslim thinkers in Britain have suggested that there is, even if their views are not mainstream. Thus Sardar has written:

A joint Christian-Muslim ethical enterprise, designed to generate adoptive and pragmatic intellectual and social responses to the problems of our age, would be the most appropriate response of the believers to the demands of the postmodern age. (Sardar in Anees et al. 1991 p. 87)

Similarly, Akhtar asks:

Would it not be sensible ... for all members of the so-called Western faiths - Judaism and her religious offspring - to put up a united front against Western secularity? Would it not be wise to become partners in adversity, at least for this part of the journey? (Akhtar 1990a p. 14)

Yet it is unclear whether Christianity has managed to maintain itself as a tradition in MacIntyre's sense under modern conditions. Certainly many Muslims would doubt this, seeing Christianity as deeply compromised by secularism.⁵ Yet this may not be a reason for Muslim self-congratulation; the perceived Christian condition may simply be the eventual fate of all traditions under modern liberal conditions. The challenges to Christians of religious plurality in a secularised liberal society are therefore not just those posed in opening this section, but also wider questions raised by Christianity's relationship to secular modernity. The impact of modernity on Christianity thus provides an important test case for other traditions.

6.3. The Impact of Modernity on Christianity

So what impact has modernity had on Christianity? Since the onset of modernity the relationship between Christianity and society in Britain has undergone profound changes. These changes can

⁵e.g. Siddiqui, discussed at 5.4 (i) above.

be mapped onto the arguments already developed in the thesis concerning the relationship between economic, social and moral change in modernity (1.8-1.9, 1.12-1.13), and the impact on the established church (1.1 and 4.1 above).

One picture of this impact can be derived from work in the sociology of religion over the last thirty years on the 'secularisation thesis' (Martin 1967, 1978). During the last 250 years or so Christian institutions have gradually moved from the centre to the margins of political and social life, and Christian discourse has been transformed from an integral part of the dominant ideology to the marginal discourse of a cognitive minority. Fragments of Christian discourse survive in secularised form, certain Christian beliefs persist increasingly in isolation from conventional practice, and through institutional and organisational means the churches have retained some political significance. However, while the institutional church has declined new religious movements and some non-conformist Christian groups have grown, especially evangelical, charismatic and fundamentalist groups. These latter groups have also undergone a revival within the mainstream churches in recent years, their prosperity attributed to their distinctiveness and simplicity which provide identity and meaning in a fragmented and rapidly changing culture. This picture presents a brief summary of the secularisation thesis and its recent developments.⁶

It can be argued that the impact of secularisation in Christianity has been so profound that, for a non-western person, whether Canadian Inuit or Algerian Muslim, to meet a European or American Christian, is first to meet a representative of liberal modernity, and only second to meet a Christian, however the Christian may feel about their own identity. An example of this was presented on the BBC Everyman documentary "Mission Impossible" (Nov 27 1994), which followed a team of American evangelists during a mission in the Ukraine. Where the Americans saw themselves as bringing the culture-free gift of the gospel, Ukrainians saw the presentation of an Americanised Christianity which lacked the culturally rooted relevance of the thousand year old historic tradition.

This is doubtless too simple a description of a complex and problematic situation, requiring some qualification. First, traditional revival may be closely related to resurgent nationalism, so that nationalist rather than religious resentment may underlie hostile reactions to American Protestants. Second, Western missionaries have long been aware of the challenge of enculturation, indeed, globally intra-cultural mission may have replaced cross-cultural mission as the predominant form (Walls 1989). Third, Ukrainian society is a modern society, although one undergoing a painful

⁶As we saw at 4.1, MacIntyre (1967) has challenged aspects of this narrative, arguing that with economic differentiation of the Great Transformation the possibility of articulating a vision of the good of the whole of society disappeared, and with it not only the possibility of a shared religious vision, but of a shared secular one too.

transformation from state socialism to democratic liberalism. Three qualifications may be suggested immediately. But the example does illustrate the extent to which Western Christianity in Europe and North America is now entwined with liberal modernity, such that talk about Christianity as if it were a free-floating set of beliefs, or even practices, without account being taken of their social context and significance, is profoundly misleading.

Yet few writings on or efforts at inter-faith encounter reflect adequately on the modern location of encounter (Milbank 1990b). This is the principal reason why there is little analysis of the inter-faith dialogue literature in this chapter. At a theoretical level many attempts have been made to bring Christians closer to people of other faiths by seeking commonalities of belief: soteriologically, theologically and ethically (Hick and Knitter 1987, Küng 1991). At a practical level, inter-faith dialogue in has often been the result of considerable individual endeavour and collective effort; many conferences have been held and agreements reached (Braybrooke 1992). But such syntheses have often been achieved at the cost of abstracting beliefs from their tradition location, and by neglect of the context of encounter (D'Costa ed. 1990a). Therefore, well intentioned efforts (e.g. Küng 1991) remain flawed by a lack of awareness of the debt of their own theology to specifically modern liberal conditions, and of the implications of this for the reception of their theology among traditional minorities both within their own countries and beyond the Westernised elites of non-western countries.

Where it is considered, modernity is often seen primarily as an intellectual challenge. But as Dorrien writes:

the question of modernity concerns more than the critical meaning of religious faith. ... the question of modernity is the question of the praxological meaning of Christian faith in a world shaped by the development of modern corporate capitalism and its accompanying ideologies. (1990 p. 5)

This weakness in theological pluralism has been forcefully attacked by Surin (1990). As with other versions of liberalism, too many particular assumptions are presumed to be universal. Thus Milbank has attacked the assumption that dialogue can be conducted around a 'neutral' topic, where neutral usually corresponds to the dominant liberal perception (1990b p. 190). He also attacks "praxis" approaches, which, following liberation theology, place the emphasis on shared engagement in action over reflection. As we shall see in Chapter 7, his objections here rest on the view that "praxis" in liberation theology surrenders all the substantive content of Christian tradition, possibly leaving the Church in Latin America with some political power, but power exercised over secular processes rather than distinctively Christian socialist practices (1990a pp. 206-258).

This is not to deny that much valuable work has been done in the attempt to improve inter-faith relations; the tireless efforts of the volunteers of the UK Inter-Faith Network deserve mention in this context. Often this mediation is valuable because of the concrete nature of the problems involved; pragmatic solutions which respect the integrity of the faith communities involved are sought. The Interfaith Network has also been concerned with seeking principled agreement between faith communities, and has been particularly concerned with "values in a multi-faith society" and "faith communities and public life" (1993). This is a role the Network is well placed to perform, for without such principles pure pragmatism can only lurch from crisis to crisis. On the other hand, if agreements are reached which simply turn out to be affirmations of secular humanist ethics, then this cannot be a long-term solution - at least not if living traditions are to persist and receive justice. In such agreements the challenges of religious and cultural differences are not faced. It is hoped that this thesis may provide food for thought for groups such as the Interfaith Network, offering way of thinking about how to more fully recognise diversity within a liberal society such as ours.

On the model of traditions in interaction which has been developed so far in this thesis, dialogue cannot proceed from such neutral ground, whether theoretical or practical. Rather it can proceed only from the understanding and performance of ideas and practices within particular historical traditions, by the processes of engagement with the texts and practices of other traditions, and by interacting with living representatives of those traditions.

A further manifestation of the uncritical modernity of much theology of religions is its reflection of individualistic and legislative preoccupations (Bauman 1992 pp. 1-25), reflected in the focus of much discussion on the issue of whether members of non-Christian faiths can or cannot be 'saved'. This preoccupation indicates a vastly attenuated concept of salvation, limiting discussion to the terms of individual, post-mortem persistence, and neglecting, as Hastings points out:

...the full data of the tradition - including the breath-taking insight of Romans 5 that the grace of Christ has abounded more widely than the sin of Adam. (1990 pp. 39-40)

Nevertheless, the effort to legislate about the salvation of others remains prominent in Christian thought about other faiths, and illustrates well the modern characteristics of such a pre-occupation.

6.4 Case Study of Christianity and Modernity (i): Legislating About Salvation

In the theological arena, one of the main ways in which attention has been focused on this issue

has been through the widely used typology for characterising Christian theologies of religion, that of 'exclusivist', 'inclusivist' and 'pluralist' categories (D'Costa 1988). The defining characteristic of this scheme is the attempt to legislate about how and whether people of other faiths are "saved", according to a Christian understanding. Thus for the 'exclusivist' type salvation is only possible through explicit commitment to Christian faith. For the 'inclusivist' type salvation is also only achieved through Christ, although this may occur without explicit recognition of Christ on the part of the recipient, so people of other faiths may be 'included' in the Christian salvific framework. Pluralist types allow for salvation through the medium of the adherent's own faith, or indeed lack of faith; this position is universalist concerning salvation.

Some standard criticisms can be made of each of these types. Narrating those outside the Christian tradition as excluded from salvation has provided a pretext for coercive attempts to convert, exclude from social life (e.g. the ghetto), and persecute (e.g. pogroms), and has at times provided a legitimation for attitudes of racial and cultural superiority with devastating consequences (e.g. the genocide of native Americans). But denying the need for explicit commitment to Christ or the Church (inclusivism), would seem to limit the significance of the Church, and indeed of maintaining Christian belief in any form. As for pluralism, this position seems to imply some common sort of salvation for which particular faiths are local media; but what kind of salvation? To what extent is a word with a specifically Christian history appropriate as a generic term for the ends sought by different faiths? Surin protests that at a descriptive level the vocabulary of pluralism cannot do justice to the complexities of inter-faith encounter:

the simplicities of religious pluralism simply are not up to the task of characterising the ... patterns of speech typically involved in conversation between persons who belong to different religions. (in Hamnett 1990 p. 85)

However, rather than tackling types within this scheme, it is better to challenge the assumption supporting the whole structure, namely that legislating about the salvation of people of other faiths should have any central role in a Christian response to religious plurality. Lesslie Newbigin argues that discussion of the important question of Christian responses to religious plurality has been side-tracked by the pre-occupation with a restricted understanding of salvation:

debate about this question has been fatally flawed by the fact that it has been conducted around the question "Who can be saved?" It has been taken for granted that the only question was, "Can the good non-Christian be saved?" and by that question was meant not "Can the non-Christian live a good and useful life and play a good and useful role in the life of society?" but the question was "Where will she go when she dies?" (1989 p. 176)

Newbigin argues that this is the wrong question, for at least three reasons. First, "it is a question to which God alone has the right to give the answer" (1989 p. 177). His central justification for

this is the recurrent themes of surprise and reversal in the synoptic judgement parables. Newbigin comments:

I am astounded at the arrogance of theologians who seem to think that we are authorised, in our capacity as Christians, to inform the rest of the world about who is to be vindicated and who is to be condemned at the last judgement. ... Nothing could be more remote from the whole thrust of Jesus' teaching than the idea that we are in a position to know in advance the final judgement of God. (1989 p. 177)

This interpretation receives support from theological history in D'Costa's investigation of the doctrine *extra ecclesiam nulla salus*, or "apart from the church there is no salvation" (1990c pp. 130-147). D'Costa points out that it has only been relatively recently that this doctrine has been addressed to the salvation of people of other faiths, having been primarily developed as a way of dealing with schismatics, from Cyprian onwards (206-258 CE). Hence:

the *extra ecclesiam* doctrine did not address the particular problem of salvation in the world religions and hence did not consign the majority of human beings to perdition. (1990c p. 140)

Furthermore, people who developed this doctrine, including Origen and Augustine, found it compatible with believing that people who lived prior to Christ, and hence the church, could be saved. The notion of implicit faith applies this move forwards in time, to "those who have never historically and existentially been confronted with the gospel" (1990c pp. 142-3). The developed role of the doctrine is to assert that salvation is mediated through Christ and the church, a position which means that:

grace could be properly acknowledged as operative outside the visible church, but must be causally related to Christ and his church. (1990c p. 142)

Second, the attempt to legislate about who is saved distorts the Christian understanding of salvation. Salvation is not theoretical but enacted, a matter of living of which intellectual assent is only a possible beginning. Christian understanding is teleological, in that it looks toward the goal of the reconciliation of all things in God through Christ (Eph. 1:10, Col. 1:20). But it is a docetic heresy (a denial of the humanity of Christ) to focus on salvation conceived primarily in terms of life after death, rather than on the working out of salvation as the anticipation and performance of reconciliation, in our particular contexts now. Newbigin explains:

the verb "to save" is used in the New Testament in three tenses: past, present and future. We were saved, we are being saved, and we look for salvation. ... The question of salvation is wrongly posed if it is posed in respect of the human soul abstracted from God's history of salvation, abstracted therefore from the question "How do we understand the human story?" ... It follows that our dialogue with people of other faiths must be about what is happening in the world now and about how we understand it and take our part in it. (1989 pp. 178-9)

Thirdly, Newbigin objects to the individualism and anthropocentrism of this approach; the

common good is collapsed into presumptions about the survival of individual souls, the focus is on individuals in isolation rather than as constituted through their relationships with one another and with God. The focus on this perspective illustrates the primacy for contemporary Christians of the Enlightenment (especially Cartesian) notion of the autonomous individual subject (3.3-3.4 above); yet this is but one perspective, and the survival of the individual soul has little or no place in some other faiths, and is not necessarily central to Christian traditions.⁷

Next we turn briefly to a specific example of a very different Christian response to plurality in the context of modernity, one which shows an awareness of the tension between the demands of a teleological tradition and those of a modern conception of autonomy rooted in a negative understanding of freedom.

6.5 Case Study of Christianity and Modernity (ii): Muslims and Christians Facing the Challenge of Human Rights

A further example of the tension in contemporary Christianity between traditional roots and modern influences is illustrated in the German Catholic bishops' document Muslims and Christians Facing the Challenge of Human Rights (1994), which featured in the last chapter (5.8). In this document the official Catholic reluctance to recognise human rights is put down to the historic antagonism between protagonists of rights and the church, thus tactfully avoiding any mention of a possible fundamental conflict between traditioned and modern conceptions of the person and morality, and relegating Vatican resistance to historical accident. However, it may be argued that Vatican reluctance may have its roots in the unwillingness to subordinate the telos (ultimate goal) of caritas (the love of God) to any external constraints, and especially to a system which stresses negative freedom, a conception of emancipation corrosive of tradition.

Thus the Bishops' response shows us something of the extent to which Western Christianity, including at least some parts of Roman Catholicism, has become intertwined within liberal culture. It also tells us something of the resistance any attempt to criticise that culture is likely to face; the idea of not supporting human rights seems profoundly reactionary and morally repellent to modern sensibilities. Here a perspective which can see both Christianity and liberalism as historical phenomena can help. The perspective of a tradition of enquiry can help us to recognise the dangers both of the concept of negative freedom and of the tendency of capitalism to corrode

⁷It can be argued that the body/soul duality is alien to the earliest Christian thought, and develops only in response to gnosticism (Rowland 1985 pp. 285-299), and later, with Origen, Platonism (Brown 1988 pp. 163-4). Paul's understanding of sarx ('the flesh') may be better translated as 'desire' or 'bodily desire/appetite', to avoid dualistic connotations.

tradition (including the moral tradition of liberalism). It can also help us to understand the dynamic nature of tradition, thus opening up the possibility of a theology which recognises a limited conception of negative freedom within a distinctively Christian telos.

6.6 Case Study of Christianity and Modernity (iii): A Counter-Cultural Response to Modernity: The Christendom Group

The formation of the Christendom group can be traced to 1922, when a collection of essays introduced by Charles Gore were published under the title The Return of Christendom. This was followed by the publication of the journal Christendom and the formation of the Chandos Group, a discussion group which met regularly at a London restaurant, and whose members included Maurice Reckitt, V A Demant and T S Eliot. Eliot also belonged to the Moot Group alongside Reinhold Niebuhr and R H Tawney; both groups discussed social and political issues from a theological perspective (Markham 1994 p. 30). The contemporary relevance of this group has recently been assessed by Ian Markham in his book Plurality and Christian Ethics (1994). Markham also presents his own thesis for a Christian affirmation of plurality developed partly from his evaluation of the work of the group, and sees the group, particularly Demant, as anticipating the work of MacIntyre and postliberal theologians. His work therefore provides a useful introduction to the Christendom Group in the context of the concerns of this thesis.

Demant saw capitalism as self-undermining, in the sense of corroding its own moral capital and social cohesion (inherited from pre-modern society). We have already seen the later critics MacIntyre and Habermas argue a similar case, and Demant's position is also close to Eliot's in The Idea of Christian Society (Markham 1994 p. 52). Demant interpreted socialism as an attempt to solve these problems through state intervention (Markham 1994 p. 49). However, the identity of the citizen and the loyalty inspired by the state are, like those of the capitalist consumer, too 'thin' to bear the weight of human needs for meaning, belonging and self-worth. A return to something between the state and the individual, to family, community and civil society is implied; in Demant's case his organic conception of human societies also led him to an ecological concern, to knit people not only to one another but to the earth which nourishes us all.⁸ But beyond this yearning for the recreation of community is a conviction that it can only be realised if society is united by a common transcendental telos, by a revival of Christianity enabled by the state defending Christian values through legislation, education and in the public arena:

⁸Markham cites the following passage: "The earth's self recovering rhythm is broken under the spur of technocratic, megalopolitan and commercial aggression. This betrays man's stewardship of the earth" (1994 p. 52; from an unpublished article).

As Demant put it there is something inadequate about a culture which only enables those who are saints to be moral.⁹ (1994 p. 54)

This is strikingly similar to Muslim defences of legislation regulating morality; however, it faces the same objections in a plural society. Markham highlights three problems. Firstly, whilst in the 1920s the constitutional position of the Church of England, its academic privileges and the limited presence of non-Christian minorities “conspired to create the impression that Christianity was the only major religious option” (1994 p. 56), factors such as post war immigration and the declining cultural and political influence of the established church have deeply undermined such an assumption.

Secondly, in this changed context the privileging of one religious tradition requires support through public reasoning in a context in which its priority can no longer be assumed. Here the group’s failure to give any credit to the Enlightenment, in particular the secular narrative of the emergence of tolerance from the religious strife of the seventeenth century (3.2 above), means engagement in public debate is likely to prove difficult:

Medieval Christendom is not attractive to modern secularists. For all the drawbacks of modernity it is at least free of medieval intolerance. (Markham 1994 p. 55)

Thirdly, the group failed to give serious theological and philosophical consideration to plurality. It is in this context that Markham advances his own case for a Christian advocacy of tolerance and plurality. For Markham, plurality can be affirmed and moral and intellectual coherence maintained simply through theism, without the degree of societal integration which the Christendom Group, or for that matter MacIntyre, see as necessary to sustain moral life. Accepting the secular narrative of the genesis of toleration as a creative response to religious conflict in the seventeenth century, Markham argues that secularism was indeed necessary to teach Christianity tolerance. However, secularism’s discovery of tolerance was ‘accidental’ or unfounded; to make sense ethics must presuppose an intelligible universe, but nothing in a purely secular view can support this. In response he invokes Aquinas’ cosmological argument, arguing that theism alone can uphold the intelligibility of the universe.

The basis for toleration in Markham’s argument is agreement on the intelligibility of the universe grounded theologically in the oneness of God as creator, together with the empirical observation that the universe is complex and difficult to understand; we therefore need diverse others in our

⁹ In this Demant once again expresses similar views to Eliot; the implication is a “plurality within strict limits” in which “public policy ... should protect a broadly Christian ethos” (Markham 1994 p. 53).

search for truth. Markham's insistence on a common genesis to support an assumption of the intelligibility of the universe mirrors MacIntyre's argument for the need for a unifying telos to render moral language intelligible, and thus opens up a new perspective on MacIntyre's argument. Seen in this light MacIntyre's telos, which we have already seen described broadly as 'searching for the good life for man' could be read as an agreement on the ultimate unity of human destiny quite compatible with a recognition that this is difficult to discern and therefore we need diverse others in our search for it. Therefore, far from a recipe for sectarianism, it becomes an argument for toleration. Here, then, is one way to combine a communitarian theological ethics with toleration in the public sphere.

However, Markham's argument faces at least two important difficulties. Firstly, the unifying factor required to render belief in the intelligibility of the universe reasonable does not have to be God; atheistic alternatives for grounding rationality ranging from Aristotle's pre-Christian telos (4.2) to Habermas' postmetaphysical universal pragmatics (3.6) need to be considered. Secondly, as empirical support for his argument he points to the 'American discovery' that commitment and tolerance can go hand in hand, as witnessed in the 'Middletown III' social attitudes survey, which found typical Americans to be more tolerant and yet more religious than their 1920s counterparts (Markham 1993 p. 120). Yet this evidence, and the exposition of Neuhaus which follows, fails to demonstrate that American society has found constructive ways to respond to serious religious and cultural differences manifest in public arenas. The increasing violence of pro-life anti-abortion protest, the rise of the Nation of Islam, and the perpetuation of ethnic ghettoization each suggest otherwise.

Markham cannot be blamed for failing to find a panacea for these problems, but his failure to represent them at all is disturbing. At a sociological level, his analysis of religious plurality fails to locate it with sufficient depth within particular modern contexts. At a theological level, I suggest that in spite of his reflections on the Christendom group, he fails to draw sufficiently on the breadth and specificity of the Christian tradition. I have attempted to address this sociological shortcoming in the analysis presented in 6.3 to 6.6, and this will be continued at 6.8 and 6.9 when we examine how Christian communities can be seen to contribute substantively to the common good in multi-faith Britain. To address the latter, theological, shortcoming we now consider a body of work which has been termed 'post-liberal theology' (Lindbeck 1989).

6.7 Postliberal Theology

The Christendom group provided an example of a counter-cultural Christian response to

modernity stemming from the experience of European and especially British history in the first half of the twentieth century. Antecedents for their work can be found in the activities of Oxford Movement and writings of the Tractarians in the 1830s and 1840s. We now return to the present to consider 'postliberal' theology, a counter-cultural theological response in the second half of the twentieth century, particularly in the American academy, although in the next chapter we shall concentrate on the work of a British theologian who fits the description 'postliberal', John Milbank.

Postliberal theology resembles MacIntyre's project in the sense that both appeal to traditioned communities as the practical and epistemological basis for action and reflection. From a Christian perspective, postliberal theology moves beyond MacIntyre in the sense that it seeks to spell out in more detail the implications of the Christian gospel and the church communities which it creates. Nonetheless the work of these theologians can be seen as complementary to MacIntyre's exposure of the weakness of the Enlightenment project and its successors. Thus in The Eclipse of Biblical Narrative (1974) Frei writes a narrative complementary to MacIntyre's of the transition in biblical hermeneutics in the eighteenth and nineteenth centuries, a transition which involved the displacement of narrative as a primary interpretative category, substituting instead either a 'timeless' transcendent content (as in 'demythologisation'), or else offering a materialist reduction. In either case the 'true meaning' lies either 'above' or 'beneath' the narrative. This differs to earlier allegorical interpretation where the allegorical meaning was seen as in harmony with narrative sense. On the denial of the primacy of narrative Frei writes of Schliermacher:

In short, for Schliermacher as for his predecessors, the sense of a narrative could in no way be either the narrative itself or its descriptive shape or its narrative structure. (1974 p. 307)

Similarly, in The Nature of Doctrine, the work in which he coined the phrase 'postliberal theology', George Lindbeck writes of the transition from reading strategies in which the sacred text 'absorbs' the world to strategies in which the world absorbs the text, and then attempts to revive the former. He describes this as "intratextual theology":

Intratextual theology redescribes reality within the scriptural framework rather than translating scripture into extrascriptural categories. It is the text, so to speak, which absorbs the world, rather than the world the text. (1984 p. 118)

By using the title 'postliberal' Lindbeck marks a decisive break with the liberal model of religion which holds that "different religions are diverse expressions ... of a common core experience ... present in all human beings" (1984 p. 31).

A contemporary example of the liberal approach can be found in the work of David Tracy, who

is of relevance here both because he has devoted substantial energy to developing a hermeneutics which seeks to maintain the integrity of the Christian tradition and a 'relevance' to the contemporary world, and because he has reflected seriously on the role of theology in a plural society. Tracy envisages three audiences for theology: the academy, the church and the public arena. These correspond to three types of theology: fundamental, systematic and practical. Schüssler-Fiorenza describes the significance of Tracy's conversational method, and in particular his engagement with Habermas, as follows:

Tracy shows that a communicative understanding of rationality is significant for the nature of public theology. It compels theology to recognise that the public with which theology is in dialogue is neither an abstract universal public nor a monological reason, but rather a public constituted by open conversations, plural discourses and diverse communities. (Schüssler-Fiorenza 1990 p. 5)

Tracy does a great service to theology by drawing attention to the different publics which it may address. Yet, there are at least two problems with his account: firstly, his work to date is so focused on methodology that it is as yet unclear what his practical theology would entail. Secondly, the distinctiveness of a Christian contribution to conversation becomes unclear; Stout also attacks Tracy on both these grounds (1988 pp. 165-6). Thus while Tracy's emphasis on his respect for the resources of 'classics', on forms of communication which resist the bureaucratisation of the lifeworld (Habermas' terminology - see 3.6. above), and his awareness of plural audiences and arenas of interaction are attractive, the question remains: what is there to distinguish his position from a composite of avowedly secular writers, such as Habermas, Galston or Stout?

At one level, Tracy retains some Christian distinctiveness by emphasising the importance of the Biblical tradition as a key to responding to the tragic history of the twentieth century. However, questions can be raised as to whether the hermeneutics employed to access this tradition are governed by prior secular assumptions. Similarly, in a religiously plural context, Tracy's recognition of non-Christian sources is welcome, but from a postliberal perspective one may ask whether he only achieves this recognition by appealing to a secular category of human experience more fundamental than religious traditions. Passages such as the following imply that he does:

contemporary Christian theology is best understood as philosophical reflection upon the meanings present in common human experience and the meanings present in the Christian tradition. (1975 p. 34)

In method, he seems to give philosophy priority over any distinctive methodology which theology might offer. Even in substantive content, it is unclear whether "common human experience" or "Christian tradition" is given priority. By contrast, the idea of a philosophy more fundamental

than Christian theology, and of human generic human experience more fundamental than Christian tradition, is decisively rejected by postliberals. Instead Lindbeck, for example, proposes a cultural-linguistic model of religion in which:

A religion defines a language and a practice, shared by a community, and that language makes new kinds of experience possible. (Placher 1989a pp. 18-9)

Thus tradition, cultural mediation, is held to be prior to experience, and constitutive of its possibilities. Such writers illustrate MacIntyre's idea of tradition in substantive form, and whereas MacIntyre's Thomism seems too diminished as a historical tradition for realistic revival,¹⁰ Lindbeck and Frei's accounts of interpretation and theology are arguably close enough to the beliefs and practices of a variety of Christian groups to present themselves as plausible models of self-understanding and self criticism.

However, the comparison with Tracy suggests a serious charge which has been levelled at postliberal theologies - that they are 'isolationist' or 'sectarian', and do not encourage engagement beyond the confines of the Christian community.¹¹ Whereas Tracy explicitly addresses the responsibilities of theology in diverse settings, postliberal theology seems more concerned with its own internal development. A similar charge could be levelled at the model of plural societies as traditions in interaction as developed so far here, both because it has been argued that communities in which virtue can be developed require substantive commonalities, and because it has been argued that many modern practices are corrosive of the common good.

Thus a 'Catch-22' situation appears: to build a viable common good you cannot adopt modern practices as these are corrosive of tradition; but if you do not adopt modern practices in a modern society, you are forced into isolation. All that seems to be left to do in the public arena is to play the role of pre-exilic Jeremiah, warning of the impending doom welling up in contemporary wrongdoing, and the hope that the cultivation of Christian virtue within Christian communities will somehow 'spill over' into the public arena. However, at 4.7 we considered Kotva's argument which makes this Jeremiah role more positive and influential than it might at first appear; characters of virtue can continue to make a real difference in public life even in institutions which militate against the cultivation of virtue. This case will now be further strengthened by examining Bruce Marshall's defence of George Lindbeck's project of 'absorbing the world' into the scriptural text.

¹⁰At 4.7 above Haldane's comment that "in Great Britain I doubt there are sufficient Thomists to constitute a football team" (1994 p. 100) was noted in support of this view.

¹¹Of course this also raises questions of 'Which Christian community/ies?'; the reliance of Christian theologians on secular university settings rather than ecclesiastical sponsorship further complicates this question.

As already indicated, the metaphor of 'absorbing the world' occurs in Lindbeck's The Nature of Doctrine (1984), and refers to a mode of reading scripture in which the reader's experiences are interpreted in terms of the scripture rather than the other way around; scripture has hermeneutical priority. Christian scripture is seen as the basis of a worldview within which all other knowledge and experience is framed: "take every thought captive to obey Christ" (1 Cor. 10:5).

As Marshall considers the 'isolationist' charge against this position, the first form is that 'extra-scriptural' evidence is ignored by this procedure (1990 p. 84). Marshall sees this as simply misdirected, since if the project is to absorb the world into Christian categories then it is clearly not isolationist in the sense of completely disregarding extra-scriptural evidence; instead the project is precisely to absorb such evidence by locating them in a Christian 'order'. A second form of the charge is one of bias or imperialism; by cramming all phenomena into a Procrustean scriptural bed, extra-scriptural reality is not denied but distorted. Marshall's response to this is that the foundationalist project of discovering bases for knowledge apart from any particular tradition has failed, or at least has not yet succeeded (1990 pp. 87-8); in the meantime the task of making sense of the world must proceed somehow, and the "assimilative power" of the Christian narrative makes it a plausible way to proceed.¹²

Marshall then addresses a third, more subtle, form of the imperialist charge: the choice of the Christian narrative as the hermeneutical key to the world is too rigid; it is bound to ignore insights which may be gained from other perspectives (1990 pp. 88-9). Marshall's response is to object that strong forms of this charge fail because they require the logically and psychologically impossible: the simultaneous suspension of all beliefs. Marshall uses Wittgenstein's argument that all doubts presuppose some background of certainty to support his case. However, he accepts a weaker form of the argument that Christians need to be prepared to revise their beliefs in response to external challenges; otherwise the project of absorbing the world will indeed have failed.

A further problem which may be raised for the project of 'absorbing the world', and which does not seem to be addressed by Marshall, is that every reader's understanding is always already formed by extra-scriptural influences and interests, so that a re-pristinization of a scriptural 'worldview' is simply not possible under modern, secularised conditions. Another is that the project appears not to reckon with a possible plurivocity of scripture. Partly, this first point may be addressed by contesting the secular assumption that there necessarily exist more 'fundamental' determinants of action than religious tradition. This response in turn suggests the important

¹²Marshall devotes considerable attention to developing the sense of assimilative power; see 1990 pp. 76-82.

qualification that neither Marshall nor Lindbeck envisage an isolated individual interpreting scripture alone, but rather a community of interpretation standing in a historic series of tradition. But it does seem important to raise the suspicion of extra-scriptural and extra-traditional influences on individuals and communities; otherwise a kind of fundamentalism in which the authority of leaders usurps the authority of scripture and tradition can be the outcome. The same applies to the question of plurivocity; an assumption of univocity can too easily serve to legitimate the readings of an authoritarian leadership.¹³ Thus it is possible to permit secular explanations *ad hoc*, without subscribing to a secular reductionism.

Such defences can take much of the sting out of the isolationist charge. However, the question of why to *prefer* a Christian narrative to others available in a post-foundationalist world remains, and while it does so an arbitrariness hangs over the postliberal attempt to 'absorb the world' from a Christian perspective. For this we shall turn to Milbank (1990a), who provides a simple answer to this question: all other conceptions of the social and political reduce to the constraint or celebration of violence. Only Christianity assumes the ontological priority of peace, and so holds out the hope of truly harmonious community. The next chapter will critically examine the reasons given for this claim.

As we have seen, MacIntyre articulates a conception of tradition which situates and opposes modern liberalism. Milbank largely concurs with this project (1990a p. 327), but argues that MacIntyre underplays the distinctive elements of Christian tradition. Milbank provides a thorough and provocative framework for examining the relationship between Christianity and modernity. He both exposes the secular assumptions in modern theological positions (across the range of liberal, neo-orthodox, liberation and fundamentalist theologies) and exposes the theological genesis of secular conceptions of the political and social. In Wittgensteinian terms, MacIntyre 'changes the aspect' by enabling us to see secular ethics anew through the eyes of 'tradition'.¹⁴ Milbank succeeds in 'changing the aspect' once more, focusing on social theory rather than moral philosophy, and from a more overtly Christian perspective, which problematises the concept of tradition developed so far. This chapter now turns to consider some practical examples of Christian contributions to the common good, by looking at the role of Christians in 'caring' activities (Gill 1992).

¹³For an analysis of this process at work see Boone K 1989 The Bible Tells Them So: the discourse of Protestant Fundamentalism SCM, London.

¹⁴In particular, see After Virtue (1985) Chapter 1, where MacIntyre imagines a society which has lost a coherent scientific framework, using the analogy to suggest that contemporary Western society has lost a coherent ethical framework.

6.8 Rescuing the Common Good? Gill's 'Moral Communities'

Gill's book Moral Communities (based on his Prideaux lectures 1991) sets out to ask what sustains practices of "caring beyond self-interest" (1992 p. 1) in contemporary British society, an enquiry which turns into a consideration of the role of religious communities in sustaining such practices. Gill is concerned to establish the "social significance" of religious ethics. In doing so he presents a range of evidence relevant to this thesis. But for this thesis, following MacIntyre, the question is not whether Christians 'do good', defined in some free-floating sense which has been shown to be incoherent (4.1), but whether and how a Christian telos sustained by Christian communities engaged in practices in the public arena.

Unfortunately, it is far from clear that sustaining Christian community and building up the common good, in the sense of participating in political, social and cultural activities alongside others to build up community life, are compatible in a plural liberal society. In this connection Gill cites Bryan Wilson's work, which suggests that it is those groups which erect the most rigid boundaries around their communities, and confine their charity to within their own communities, which best sustain their memberships. Wilson calls such groups 'sects'; Brethren, Mormons, Jehovah's Witnesses, The Unification Church and Scientologists are examples (Gill 1992 pp. 68-9). By contrast, groups which begin by sharing the internal characteristics of intense, supportive community life and clear boundaries between themselves and the outside world seem to lose these characteristics, and ultimately members, when they engage more fully in the public arena:

once a sect does genuinely attempt to influence society especially in areas of care - the Salvation Army today is an obvious example - it soon becomes denominationalised in the process. By taking this step, so Wilson argues, such a sect is likely to become secularised itself. (Gill 1992 pp. 69-70)

Nonetheless, Gill also shows that there is evidence that participation in Christian communities is related positively to involvement in caring activities. For example, Gill cites David Gerard's work on motivation for involvement in voluntary work (in Abrams et al. 1985), based on a study conducted in 1981. Strikingly, individuals scoring high on a scale of religious commitment were far more likely to engage in voluntary work than those who scored low on the scale, such that:

roughly half of those in the highest category on the combined scale undertook voluntary work; almost nine tenths of those on the lowest category undertook none at all. (Gerard in Abrams et al. 1985 p. 84)

Furthermore, involvement in a Christian community emerged as the single most significant predictor of the likelihood of an individual being engaged in voluntary work:

Using multiple regression techniques on the 1981 sample, David Gerard suggested that attendance at religious services at least once a month was the most significant variable in predicting whether someone is involved with voluntary work. (Gill 1992 p. 20)

These findings are broadly supported by the European Values Systems surveys (Gill 1992 p. 19). However, Christians did not often mention their faith as a reason for engaging in voluntary work, a pattern that fits with a tendency for caring organizations with Christian foundations (e.g. Samaritans, Relate, Alcoholics Anonymous) to play down their religious roots. The latter groups may well be keen to emphasise their universal availability, but both individuals and organizations may wish to avoid making the immodest claim that Christians are more caring than others, especially given numerous counter-examples. But whether this muting of Christian connections is a conscious strategy or not, the connection between caring activities and involvement with a Christian community persists. Thus, as Gill suggests, it is at least possible that:

an outward secularity can frequently disguise a less than secular inside. It is hardly surprising, then, that we have tended to underplay the religious contexts of care in our society. (1992 p. 21)

This line of argument is indirectly supported by another piece of research in a caring context, this time on the coping strategies of people suffering from chronic illnesses (Williams 1984). Gill cites evidence from the European Values Study that people with religious beliefs are far more likely to discern some overall purpose in life than others. Williams' evidence shows how people with chronic illnesses tell stories which help them to make sense of their experiences; religious beliefs often provide the framework for these stories, and 'forgotten' religious resources are revisited. Indeed the story of faith may entirely displace the need to create a personal story:

Betty exemplifies a situation where both 'causal' analysis and narrative reconstruction may be transcended when the telos of life is gently enshrouded within a powerful theodicy. She does not need to reformulate my question [i.e. 'Why do you think you got arthritis'] because: 'people say: "Why you?" Well, why not me? Better me who knows the Lord'. (Williams 1984 p. 180)

The stories told by such people, not all of them overtly committed Christians like Betty, provide another example of where "an outward secularity" may "disguise a less than secular inside" (Gill 1992, above); where the cracked concrete of modernity's ambiguity-dispelling myth (Bauman 1991) is disrupted, the green sinews of religious recovery may begin to show through.

However, there are problems with Gill's evidence which must be considered before drawing conclusions from it for the thesis. Chiefly, these concern 'construct validity', i.e. whether the categories constructed for the analysis of interactions between variables are adequate. For example, for the purposes of this thesis, how far does a high score on Gerard's religious commitment scale correspond to participation in a telos sustaining community? All that can be said

is that participation in a Christian community as indicated by fairly regular attendance at Christian worship, correlates with engagement in unpaid caring activities. On this basis, it is not implausible to suggest, as Gill does, that participation in a worshipping community, where care is received from and given to others, and where worship of a caring God is enjoined, may be a significant explanatory factor. But correlation does not imply causation.

Concerns may also be raised about the construct of 'care' used here, especially the possibility of an attitude-behaviour discrepancy. In a judicial context, such a discrepancy has recently been highlighted by the feminist sociologist Carol Smart, in the context of parental disputes over child custody. She notes that paternal expressions of "caring about" children - an attitude not an action - often take precedence over the actual historic division of care ("caring for" - performance) in the decision of the courts (Smart 1991). Thus men adopt the traditionally feminine discourse of care which proves more powerful in custody cases than the continuing female practice of care. However, the Christians in Gill's evidence aren't simply expressing "care about", since all the crucial variables are performative: both church attendance and voluntary activity.

A third example of a suspect construct is the identification of certain sects as examples of a successful strategy for sustaining Christian distinctiveness and membership in modern liberal societies. Most of the sects mentioned (e.g. Mormons, Jehovah's witnesses, Scientologists) can only be loosely described as Christian, and would certainly be excluded if one applied the criteria of Chalcedonian orthodoxy. One could therefore argue that a trinitarian orthodoxy could engender a different community dynamic, one which would enable successful engagement in society without falling prey to secularising tendencies. However, I am not aware of any evidence that orthodox groups are better able to cope with the competing demands of openness and distinctiveness than their less orthodox cousins. Furthermore, the claim that trinitarian orthodoxy leads to generosity beyond the confines of the church seems implausible on historical grounds; it does not seem as though pre-modern Christian groups behaved any differently (certainly any more openly) towards groups which did not share their telos, than members of any other tradition.

What, then, can be concluded about the two lines of evidence which have been developed from Gill, namely that Christian communities resist secularisation best when they limit their engagement in the public arena, but that Christian communities seem to be supportive of, indeed disproportionately constitutive of, sustaining the common good in the public arena through caring activities? The logic of the latter does seem plausibly to be related to the telos of these communities as celebrated and sustained in worship. Gill describes the process which may be at work here:

any care we that we show to others has already been shown to us by a God who cares.

Goodness beyond self-interest is identified as the true telos of a world created by a God who acted and continues to act in creation beyond self-interest. (Gill 1992 p. 82)

Thus the care shown by Christians appears not to be rooted in secular premises, but to spring from the historic roots of religious traditions. However, the concern remains that it may still be the case that modernity is living off the moral capital of such traditions which it persists in eroding; the denominations who supply the caring Christians are shrinking denominations (Wolffe 1994). In this context a liberalism which recognised its dependence on such traditions, as, for example Galston (1991) does, and which enacted that recognition, may go some way toward the creation of a public culture in which they can be sustained. But answers also need to come from within communities themselves.

At this point we can review to Muslim suggestions for Muslim-Christian, and even Muslim-Jewish-Christian alliances. Although Gill's empirical evidence refers to Christian communities, he sees his argument as applying equally to Muslims and Jews. This is because he sees the role of worship as a common link between the content of tradition and performance in society:

For Judaism, Christianity and Islam it is worship that provides the link that I believe is especially crucial for effective care in society - the link between logic and structures. Within each of these traditions individuals who believe in theory there is a God who cares (and who encourages them to care) are confronted in worship with this caring God. ... Within worship the stories, myths, scriptures, rituals and liturgies that are carried by faith communities become part of our living response to the God we encounter in worship. In this profound sense they take on a new objectivity for those who worship. ... Within worship moral values take on a more demanding and insistent shape than they do outside worship; they change the very way we see the world. And worship itself becomes a form of care, requiring that we should go out and help the world to become more God-like. (Gill 1992 p. 81)

Such an argument goes some way to showing how traditions can contribute to the development of the common good in a plural society, and hence to providing a theoretical and practical underpinning for Sacks' (1990-1) vision of society as a 'community of communities'. We now turn to a radical challenge from within the Christian tradition to MacIntyre's model of tradition: that of the English theologian John Milbank.

Chapter 7:

Beyond Tradition? Milbank's Christian 'Radicalization' of MacIntyre

7.1 Beyond Secular Reason: An Introduction to the Work of John Milbank

[A] gigantic claim to be able to read, criticise, say what is going on in other human societies, is absolutely integral to the Christian Church, which itself claims to exhibit the exemplary form of human community. For theology to surrender this claim, to allow that other discourses - 'the social sciences' - carry out yet more fundamental readings, would therefore amount to a denial of theological truth. The *logic* of Christianity involves the claim that the 'interruption' of history by Christ and his bride, the Church, is the most fundamental of events, interpreting all other events. And it is most especially a social event, able to interpret other social formations, because it compares them with its own new social practice. (Milbank 1990a p. 388)

Chapters 5 and 6 attempted to demonstrate the value of a concept of tradition developed from MacIntyre in Chapter 4 for thinking through the challenges posed to Islam and Christianity by religiously plural, secularised societies, concentrating on the theme of rescuing some notion of the common good, and in the locale of Britain in the late 1980s and early 1990s. It is hoped that it has been shown that the concept of tradition enables a mode of representation which goes some way towards doing justice both to the integrity and diversity of faith and to the complexity of the socio-political environment within which faith subsists. However, this chapter will call into question that concept of tradition, and indeed the concepts of the social, political and economic which have so far been discussed or presupposed. It will do so through an examination of the work of John Milbank, a British theologian whose major work Theology and Social Theory (henceforth TST) is significantly subtitled 'Beyond Secular Reason'.

Some of the book's major themes are already anticipated in his 1987 article "An Essay Against Secular Order", in particular the interests in Augustine and Hegel, while some later articles can be seen as developments of the thesis presented in the book. Thus the ecclesiological and christological dimensions of his thought are developed in the 1991b article "The Name of Jesus: Incarnation, Atonement, Ecclesiology", while his position is presented in condensed form in the unusual summa on 'Postmodern Critical Augustinianism' (1991a). Of particular relevance to religious plurality is his contribution to D'Costa's Christian Uniqueness Reconsidered, provocatively titled "The End of Dialogue" (1990b). Given this balance, the strategy followed here will be to focus on the book, drawing in arguments from the articles as relevant.

While not generating the controversy of The Satanic Verses in the public arena, Milbank's book certainly stimulated debate amongst theologians, with some whole issues of theological

journals dedicated to its discussion.¹ However, the book is addressed to two distinct audiences, theologians and social theorists, and it seems to have received little attention from the latter. Academic specialisation may be largely responsible for this receptive imbalance; or it may be, as we saw above with the moral philosopher Stout, that social theorists have concluded after reflection that religious thinkers have nothing 'surplus' to contribute to secular thought.² Whatever is the case, this chapter seeks to go some small way to redressing this imbalance by comparing Milbank's work with that of British-based political theorists John Gray (7.6) and Fred Halliday (8.1).

Milbank deserves attention in this thesis not only because he is a British representative of postliberal theology (whose affinity to MacIntyre's thought has already been described, 6.7), but also because he specifically engages with and challenges MacIntyre's concept of 'tradition'. He sees MacIntyre's project as part of a "benign postmodernism" which has tended to be "optimistic about the possibility of admitting irreducible difference, and the historical situatedness of all truth-claims, without lapsing into a perspectivism which denies absolute truth and value altogether" (1990a p. 261). Indeed, Milbank sees such interests as close to his own, and argues that the eleventh chapter of TST could be read as "a temeritous attempt to radicalize the thought of MacIntyre" (1990 p. 327).

Both share the view that the varieties of modern social theory are only as valid as their 'fit' with modern political practices, which are themselves questionable (1990a p. 326). Indeed for both these practices have been successfully called into question by postmodern critics, so that no return to liberalism or Enlightenment reason is possible. Instead, for both, nihilism acts as strange midwife at the re-birth of virtue, which presupposes a prior commitment to the common good, rather than the 'containment of violence' held to be implicit in all forms of modern secular politics.

However, where MacIntyre offered us Nietzsche or Aristotle, Milbank offers us Nietzsche or Augustine. Nihilism cannot be successfully opposed by any return to universal reason, represented by Aristotle's dialectics (4.2), but only by the positing of alternative 'myth', which Milbank finds best articulated in Augustine. Like Augustine's City of God, Theology and Social Theory retells the story of an earthly community founded on violence within the larger

¹e.g. Modern Theology vol. 8 no. 4 October 1992, New Blackfriars vol. 73 no. 861 June 1992.

²Ironically, Milbank would probably concur with the view that most modern theology has little to add to secular thought, but offers his book as a singular exception, building on strands in the Christian tradition to offer a counter-reading of secular narratives of modernity, and to articulate what he sees as the difference of Christianity. It should also be noted that there are some exceptions to the studied or unstudied indifference amongst mainstream political and social theorists to religious thought; see Rengger N (1995) Political Theory, Modernity and Postmodernity, or Habermas' contribution to Fiorenza F and Browning D Jurgen Habermas and Public Theology (1990).

narrative of God's redemptive purpose to establish a heavenly community founded on harmonious difference. Where for Augustine the community in question is the Roman Empire, for Milbank it is western modernity. Where the violent founding of Rome begins Augustine's narrative, the beginning of Milbank's account (in the sequence in which it is presented) is the failure of Christian community in the twelfth century, which created space for new understandings and practices of 'the secular'.

For Milbank, MacIntyre does not go far enough in his deconstruction of modernity, particularly in what Milbank claims is a retention of universal reason, albeit in dialectically mediated form. This criticism is important for the thesis developed here, since the credibility of the claim of MacIntyre's theory of traditions to model interactions between traditions is at stake. He also criticises MacIntyre's interpretation of his antique and medieval sources and those sources themselves. But before considering Milbank's engagement with MacIntyre in detail it is necessary to locate his remarks in the context of his argument in TST.

7.2 Outline of Theology and Social Theory

The book consists of twelve chapters divided into four parts. The first part, 'Theology and Liberalism', narrates the origins of liberalism in the founding of political science in the seventeenth century, and that of political economy in the eighteenth century. In each case he argues that the genesis of these discourses was dependent on prior 'heretical' developments in theology and ecclesial practice. This 'heresy' is defined in relation to a denial of Christian 'orthodoxy'; in particular, Milbank refers throughout the book to "three great denials" undergirding modern political theory:

firstly, of 'Baroque *poesis*', or the idea that human making is not a merely instrumental and arbitrary matter, but itself a route which opens towards the transcendent; secondly, of the Christian doctrine of creation [in particular that it was created good, and that evil is mere negation], in favour of a reversion to an antique mythology of rational action as the 'inhibitor of chaos'; thirdly of Aristotelian ethics/politics [in view of Chapter 4 above we could substitute 'tradition'], with its central notions of *praxis*, virtue and prudence. (1990a p. 148)

Until the late medieval period 'the secular' had been only a time between Christ's ascension and return; but late medieval theology and church practice³ invested the secular with a positive content which eventually enabled thinkers like Hobbes and Spinoza in the seventeenth century to endow it with a precarious autonomy, thus founding 'political science'.

³From the twelfth century (Milbank 1990 a p. 433).

Milbank argues that the new object of political science which emerged with these thinkers depended upon prior heterodox developments in theology, in particular that 'man' is closest to the image of God when enjoying unrestricted rights, and the contractual model of these rights created by a shift in emphasis from participation in the new creation towards a covenantal understanding (1990a p. 15). Such contractualism was not just the theory but the practice of the medieval papacy, and not just of papal centralists but also of conciliarists. Furthermore, as purely sacramental and charitable bonds failed to sustain community increasing rationalisation occurred not only in law but also in pastoral care. Thus in Chapter 12 Milbank refers to Foucault's work on the ecclesial genesis of modern 'discipline', again stemming from the twelfth century, when new regulative practices - for example governing confession, penance, and monastic order - were instituted, and contributed to increasingly restrictive attitudes towards appearance and behaviour in general, such that those outside the norm (c.g. homosexuals,⁴ lepers, prostitutes) became subject to more intense persecution. Over the centuries order became more and more disengaged from practice and purpose, such that:

...pastoral rule became, within the secular state, a rule through the classification of populations in terms of medical, psychological, economic and educational canons of 'normality'. Such rule is a kind of mimicry of ecclesial peace, because it can be based upon a consensus, yet the basis of the consensus is not agreement about either "the goal" or "the way", but merely a deferral to 'expert' opinion. (1990a p. 433)

This is one example of Milbank's usage of the Nietzschean technique of genealogy - tracing the genesis of a familiar and 'noble' idea or institution to an 'ignoble' source - and here as elsewhere Milbank inverts the Nietzschean evaluative polarity by proposing a theological or ecclesial genesis for a secular practice, rather than a secular, power based explanation for a philosophical or religious belief in the Nietzschean manner.

However, in the case of seventeenth century political science, its theological location is also evident at the surface of the texts produced by Hobbes and Spinoza - substantially biblical hermeneutics - but a hermeneutics which rejects allegory and tradition in favour of voluntarist/formalist and rationalist methods of interpretation (1990a pp. 17-20). Milbank emphasises the importance of revived Roman concepts such as conatus⁵ and dominium⁶ in defining the individual subject and the sovereign state as the twin poles of the new political

⁴See Boswell J 1980 Christian Attitudes to Homosexuality Harvard University Press, US, for independent confirmation of this thesis.

⁵"Effort, endeavour; inclination, impulse", (Kidd 1995 p. 66); Milbank defines it as "the natural effort of each creature at self-preservation" (1990a p. 241).

⁶"*Dominium* over oneself, 'self-government', was traditionally a matter of the rational mastery of the passions and this was the basis of one's legitimate control and possession of external objects. ... Yet at the margins of this classical and medieval theme there persists the trace of a more brutal and original *dominium*, the unrestricted lordship over what lies within one's power - oneself, one's children, land or slaves, within Roman private law: "In the later middle ages and in the seventeenth century this original Roman sense not only returns but for the first time advances from the margins into the centre." (Milbank 1990a p. 12)

science, and constitutive of modern politics. Both concepts, without the constraint of custom and virtue which bound them in antiquity, came to embody the idea of a single will forcefully suppressing a prior chaos; here we see an example of the second denial of modern political theory highlighted by Milbank, that of the Christian doctrine of creation. It is in the analogy between the sovereign individual and sovereign state that Milbank sees a common root to modern absolutism and modern liberalism, and a rejection of the politics of the common good:

To keep notions of the state free from any suggestions of a collective essence or generally recognised *telos*, it must be constructed on the individualist model of *dominium*.

It is in this inescapable imperative of nominalism⁷/voluntarism⁸ that one discovers the kinship at the root of modern absolutism with modern liberalism. The same notion of *dominium* promotes both Hobbes' dictum that the sovereign power can never bind itself, and his view that the greatest liberty of subjects depends on the silence of the law. ...

One can conclude that 'unrestricted' private property, 'absolute sovereignty' and 'active rights' which compose the 'pure-power' object of the new politics, are all emanations of a new anthropology which begins with human beings as individuals and yet defines their individuality essentialistically as 'will' or 'capacity' or 'impulse to self-preservation'. (1990a p. 14)

However, political science was not only constituted by a denial of Christian orthodoxy, but also through a return to paganism, in particular the revival of the military-political concept of *virtù* by Machiavelli. The latter is also significant for the emergence of historicism, through his revival via Polybius of the pagan cyclical understanding of time. But Milbank also argues that figures like Erasmus show that there is no necessary contradiction between eschatological time, allegorical hermeneutics, and a form of historicism, since a creative tension between the unity of revelation, and distinct phases of revelation, can promote a historically reflective consciousness (1990a p. 21).

Chapter 2 narrates the development of political economy as concerned with the development of a politics which requires neither substantive consensus nor virtue. Thus in Adam Smith:

The justice founded upon this propriety⁹ is clearly not the 'distributive justice' of classical political theory, nor a justice first and foremost concerned with the common good.¹⁰ (1990a p. 31)

However, once again, prior heterodox Christian developments are at play. The political economy of Smith is seen to owe much to the prior tradition of a natural theology of divine design (1990a p. 38), and that of Thomas Malthus to theodicy (1990a p. 42). However, a

⁷nominalism - "doctrine that universals or ideas are mere names" (Concise Oxford Dictionary 1982 p. 688)

⁸voluntarism - "doctrine that the will is the fundamental or dominant factor" (Concise Oxford Dictionary 1982 p. 1204).

⁹Propriety' in Smith entails "habits of economy, industry and discretion, the judicious spending of our own resources" (Milbank 1990a p. 31).

¹⁰As justice had been for Aristotle and Aquinas (see Chapter 4).

revived pagan agonistic strain is again evident, particularly in Stewart (1990a p. 36). The development of social science cannot be told in terms of the gradual displacement of divine by human agency, since political economists invoked divine causation far more directly than medieval thinkers, abandoning the medieval distinction between primary and secondary causes (1990a pp. 38, 241). Milbank is particularly keen to refute what he describes as "the heterogenesis of ends", defined as "separate individual actions resulting in a non-intended harmony" (1990 a p. 37). A science of social explanation can only proceed on this basis if it assumes the existence of intending agents prior to their projects. Milbank challenges this presupposition, arguing that agents are only constituted through their projects, and those projects through human interaction. Thus:

Choice, in its most basic options, is not discovered at the individual level, but within social discourse. Only by forgetting this can one establish an economic 'science' which divides and rules in terms of private sentiments and 'natural' design. Once all this is recognised, there can be no more a discovery of a fundamental economic dimension to human history, and no alienation of human purpose (which is not primarily 'conscious') to the side of nature, reason, or providence. (1990a p. 41).

Throughout the book, Milbank is keen to refute what could be described as a 'myth of secular origins'; the idea, present in so many modern discourses in a variety of guises, that beneath traditional society or religion lies an autonomous secular layer waiting to emerge. This is perhaps most evident in Part II, 'Theology and Positivism', which is devoted to an analysis and refutation of some of the major claims of sociology. In contrast to the individualist outlook of political economy, which seeks to explain collective behaviour in terms of individual wills mediated through markets, the French sociological tradition begins with the positivist assertion of the fait sociale, the social totality, an organic whole which can only be maintained at the cost of sacrifice - hence the role of religion - while the German tradition begins from certain a priori possibilities of relations between individuals (1990a pp. 70, 75).

Milbank refutes these positivisms first by arguing that action cannot be successfully understood by beginning either with the individual or the social whole or through a mixture of the two, since both are modified by their mutual inter-relation. Instead, the complexity of cultural action can only be grasped by narration (1990a pp. 70-1). Here, Milbank prospectively intimates his own theory of action, which draws on the work of Maurice Blondel (1990a pp. 210-9). Secondly, he argues that the sociological tradition mistakes contingent conditions for inevitabilities, for example in the case of social differentiation:

Weberian sociology betrays and subverts history. It takes as an *a priori* principle of sociological investigation what should be the *subject* of a genuine historical enquiry: namely the emergence of a secular polity, the modern *imagining* of incommensurable value spheres and the possibility of a formal regulation of society. But this eventuality, like earlier imaginings, can only be *narrated*, and it is not traceable to 'fundamental' influences. Social differentiation is a contingent historical event (albeit both immensely

widespread and persistent) in western history, and not the outworking of rationality itself. (1990a p. 89)

Even more fundamental to sociological self-perception, Milbank challenges the mode of understanding human behaviour in terms of a binary polarity between the individual and the social:

Both Durkheim and Weber categorise societies in terms of the relation of the individual to something social and universal, and this reflects the perspective of modern western politics, whose prime concern is the 'bodily' mediation between the unlimited sovereignty of the state, and the self-will of the individual. As a grid, or frame, through which to view all societies, this perspective tends to occlude the fact that for many non-western, or pre-modern societies, what matters is not the binary individual/society contrast, but the hierarchical ordering of different status groupings, and the distribution of roles according to a complex sense of common value. (1990a p. 103)

This binary model excludes *Sittlichkeit*, substantive ethics, and in particular Christian charity (1990a pp. 97-8). Nonetheless, in the context of a critical review of scholarship on the sociology of religions (Chapter 5), Milbank admits the validity of a sociological understanding of religion on an occasional basis, but not as a 'master decoder' applying universally valid principles to decode the truth behind the riddle of religious behaviour. Thus in the case of correlations between social status and religious affiliation he comments:

there can be 'elective affinities' between social position and religious allegiance. However, one should not ignore the fact that 'social position' may itself be constituted by moral, ritual and religious convention ... I do not want to deny the place of what one might call *ad hoc* reductive suspicion, nor that sociology (and Marxism), as error not without benefit, have vastly extended our awareness of how mere self-interest can persist and disguise itself over long periods, and across wide collective spaces. The errors and delusions exposed, however, ... are themselves historical eruptions: their persistence must not be attributed to something ontologically or epistemologically fundamental. (1990a p. 119)

Yet Milbank does not want to simply invert the causal relation between society and religion in sociology, but to oppose the positivist grammar of sociology with something 'other', a vision of society understood not in terms of abstract regularities in the behaviour of individuals or social groups, but in terms of substantive practices, roles and the common good.¹¹ Thus he writes:

the view that religion concerns the relation of the 'individual' to the 'social' can be opposed in the name of 'hierarchical' societies (meaning a hierarchy of values, rather than of persons) for which both individuality and collectivity are subordinate to a substantive

¹¹Analogously, it is also possible to oppose the Kantian positing of universal categories defining the finite can be opposed by extending the metacritique of Herder and Haaman. This involves arguing that if language is the medium of thought we cannot reach behind it to something more fundamental. This re-opens the possibility of narrating the finite in relation to the infinite, an avenue most promisingly pursued for Milbank by Blondel, who locates the relation analogically in human co-creativity through the indeterminacy of action. This will be examined in further detail at 7.3.

organisation of roles, purposes and values [i.e. traditional societies, in MacIntyre's sense] (1990a p. 140)

The third part of the book, 'Theology and Dialectics', consists of three chapters concerning Hegel, Marx and the 'integralist revolution'¹² in post-Vatican II Catholic theology, its origins and consequences for social and political theology. Milbank is 'for' Hegel in the sense that Hegel questions the three denials of modern political theory introduced above (Baroque 'poesis', Christian creation, Aristotelian tradition), and because Hegel attempts to identify the influence of Christianity on history without reducing that difference to some allegedly more basic category, as we have seen with sociology (1990a p. 163). But he is against Hegel's retention of the Cartesian subject, invention of a myth of negation, and conception of infinity. Taking these in turn, while the reflective subject is only a temporary effect for Hegel, it remains a necessary part of the dialectical process, and reflects a real difference between spirit and matter (1990a p. 155). His 'myth of negation' interprets all difference as a result of the negation of identity; hence negation must be at the heart of the creative process:

[Hegel] conceives of creation as a negation which results in a self-alienation, and so as itself a 'fall' both for God and for humanity. (1990a p. 158).

Hegel conceives of infinity as "really nothing other than finitude itself considered as a present totality" (1990a p. 157). Thus, like the political economists' appropriation of natural law and theodicy, or Kant's delineation of fixed categories of knowledge, Hegel helps to create a secular sphere amenable to total explanation from within itself.¹³ Yet in doing so he ends up with a 'residue' of finitude beyond providence - a merely indifferent - not to be 'redeemed' in the final becoming of the absolute spirit (1990a pp. 158-9). Thus Hegel also ends up rejecting the Christian doctrine of creation in favour of gnosticism, complete with:

a gnostic myth of a necessarily self-estranged and self-returning God who leaves behind him the scattered husks of the merely material and indifferent. (1990a p. 160)

Nonetheless, Milbank sees much of value in Hegel's diagnosis of modern politics and his attempt to re-unite morality and politics through the invocation of substantive ethics (*Sittlichkeit*). For example, Hegel correctly points to the homology between deontological ethics and modern politics, which converge "on the point of freedom as mere 'possession' - possession of one's self and one's property ... this substantive emptiness makes it a licence for anarchy and terror" (1990a p. 162). Here one is reminded of the sheer domination aspect of dominium in Roman private law, a formality of power gradually unleashed by modernity.

¹²"This means the view that in concrete historical humanity there is no such thing as a state of 'pure nature': rather, every person has always already been worked upon by divine grace, with the consequence that one cannot separate 'natural' and 'supernatural' contributions to this integral unity." (Milbank 1990a p. 206).

¹³"Whereas Christianity subscribes to a total but unknowable providence, Hegel denies a complete providence, yet claims full knowledge of providence in the limited extent of its workings." (1990a p. 159).

Milbank also praises the "brilliance" of Hegel's analysis of Jesus' teachings (1990a p. 165), the young Hegel interpreting Jesus as the initiator of a new Sittlichkeit, although, for Hegel, premature and destined to fail, because it requires the conditions of the modern state for its realisation. This Sittlichkeit consisted neither in the promulgation of external law nor in the internalisation of law, with the subsequent emphasis on intention in Kantian ethics, but rather of an appeal to the concealed 'fact' of natural ties with others - including strangers.¹⁴ Furthermore, Hegel distances Christian from antique Sittlichkeit because he sees the mutuality which is the telos of these natural ties as incompatible with social relations of domination, although equally as undercut by a social philosophy which posits only separate independent subjects (1990a p. 165).

Yet instead of interpreting Jesus' teaching as a radicalisation of the Jewish Sittlichkeit of his time, Hegel interprets both Jewish and Roman influences as responsible for an excessive legalism of supposedly 'natural' institutions such as "marriage, the family and economic relations" (1990a p. 165), so that Jesus' teachings were forced to take an otherworldly turn. This was convoluted further after Jesus' death by the institution of sacraments, which rapidly came to be seen as gateways to an otherworldly heaven. Such spiritualisation eventually meant that although Christianity began by questioning the legalism of the ancient world, it ended up evacuating the secular sphere of all value, paving the way for a more virulent secularity. At this latter stage Hegel's narrative converges with Milbank's, but Milbank rejects the dialectical embedding of this account. He denies the necessity of the rejection of Jesus' message, and sees Hegel's interpretation as wrongly assuming the necessity of punishment, property rights and exchange relations rooted in the sheerly arbitrary (1990a p. 168). By these insistences Hegel refuses the fullness of Christian Sittlichkeit:

there cannot, for Hegel, be a society ... where processes of forgiveness, contrition, and expiation form of themselves a self-sustaining cultural process. (1990a p. 167)

It is this refusal which leads Hegel to adopt the modern politics he began by opposing, and leads him to theorise only a "pseudo-Sittlichkeit" (pp. 168-172).

Milbank is 'for' Marx (Chapter 7) insofar as Marx exposes the cultural specificity of modern politics and economics, thus enabling one to envisage an alternative practice (1990a p. 190). Marx rejects the sundering of production and value, but in reconceiving production/value as an integral whole, he naturalises and homogenises cultural production, denying difference and creativity (1990a p. 178). However, in his reduction of value to the to the realisation of individual liberty, Marx is a lone modern voice in nineteenth century socialism; more typical

¹⁴This seems close to Levinasian teaching on 'faciality' - see the section on Bauman in Chapter 1 above (1.13).

is the linkage of a concern for public values, the integrity and diversity of production, and equality and fraternity (1990a p. 196), which Milbank finds exemplified in Ruskin (1990a pp. 197-200).

Ruskin's critique of capitalism is close to that of the New Christendom Group (6.7 above); indeed, he can be considered their ancestor, although he was not always clear about his Christian orthodoxy. Like Marx, Ruskin argues that capitalism sundered production from value, but unlike Marx he connected this severance with the loss of the Aristotelian view that through 'practice' (in MacIntyre's sense) we can be given an insight into the telos of things (1990a p. 199). Like Milbank, Ruskin differentiates between hierarchies of value and of domination; the former, as in the teacher-pupil relation tend towards equality as the pupil masters knowledge, and hence are self-cancelling; the latter are not, and only multiply violence. This distinction is important to understand why Ruskin's appropriation of the Middle Ages is not simply nostalgic; the same goes for the entire movement to re-appropriate virtue from Ruskin to MacIntyre.

7.3 Blondel's Integralism

The late nineteenth century French thinker Maurice Blondel's philosophy of action plays a central role in Milbank's thought; indeed, Milbank regards his work so highly as to describe it as "perhaps, the boldest exercise in Christian thought of modern times" (1990a p. 217). Blondel finds an opening to transcendence in human action, because, paradoxically, he both sees intention as always in excess of action, never matching aspiration, and yet every action as always in excess of intention, always opening up unforeseen possibilities (1990a pp. 210-11). It is both that we cannot achieve what we will, and that we necessarily achieve in excess of our willing. Rahner's integralism concurs with the first assertion, but not with the second; the consequence is that the transcending capacity of the self remains confined to the imagination, in which is embedded a pre-given "supernatural existential" that yearns for God, but does not enter the arena of cultural production, thus permitting the re-introduction of the binaries which integralism seeks to overcome, and the abandonment of analysis of the social and political to secular theories (1990a p. 210; 220-3).

In contrast with the 'heterogenesis of ends' of the political economists, who find unforeseen harmony as the unintended result of agonistic interaction within a closed system, for Blondel, both 'excess' intentions and 'excess' consequences require supernatural mediation:

Every action, at the heart of its intentionality, is inherently, heterogeneous, becoming other to itself ... (1990a p. 214)

God acts in this action, and that is why the thought that follows the act is richer by infinity than that which precedes it. (Blondel in Milbank 1990a p. 210; Note 7 p. 252)

Human meaning is not to be found in finitude as such, but in the 'surplus' present in human action. Thus:

while *theoretically*, (philosophically) there is nothing in any finite reality which offers true meaning to human beings, yet in action itself - the unexhausted will to act, and the unexhausted significance of the cultural products of action - a true meaning is always in some measure encountered, although this is only apprehensible by practical reasoning, the authentic reason which causes something to happen. (1990 a p. 211).

Thus Blondel does justice to the Renaissance discovery of the significance of human making within a framework which maintains natural/supernatural integrity, in contrast to the late medieval voluntarist and nominalist theologies and their political science descendants, which saw the 'made' (factum) of human cultural production as an autonomous sphere of the arbitrary, which can only be regulated (dominium).

Like Hamann and Herder in their response to Kant, Blondel adopts a 'metacritical perspective', which involves the denial of any permanent pre- or trans-linguistic categories of thought, on the grounds that we think in language, and therefore cannot reach above or beneath it to something more fundamental:

'Metacritique' does not imply a further critique founded on Kant's initial effort, but rather a *denial* of the possibility of Kant's critical endeavour, from a critical point of view that is a more genuine and secure one. This point of view is that of language. If it is true that we only think in language, then it is simply not possible to investigate our thinking instrument - to say what it can or cannot think in advance of its deployment. (1990a p. 151)

Thus against the Kantian idea of the fixity of categories of cognition, Blondel "insists on the reality of successive, different appearances, which are the interactions which take place between humans and between humans and other beings" (1990a p. 211). Like Hegel, Blondel substitutes a phenomenology for an epistemology:

There is no 'epistemological problem' since knowledge consists in the relations which take place between beings and the mutual modifications that ensue. (1990a p. 211)

Positive science can only narrate causality in the context of established relations, not explain the new instance, neither can dialectical science explain this instance as the outworking of contradictions, because in Blondel's phenomenology there is no fundamental substance with which each new instance could contradict; rather an endless, harmonious series (1990a p. 212). Blondel arrives at this conclusion through a further analysis of the 'surplus' inherent in every action:

first, ...in every action there is present an implicit faith that a new and 'correct' synthesis will be discovered, and that this self-grounded norm is somehow more than arbitrary. ...

Secondly, the faith in 'true synthesis' implies that the meaning of all synthesis is 'mediation'. For the ground holding together the products of our action is not substance, but an intuited harmony, the combining together in infinite unity of disparate elements. (1990a p. 214)

It is in this sense that grace always already pervades human situations, and does so not as a 'background' requirement in the transcendental conditions for action (as for Rahner's Kantian version of integralism), but in the historical unfolding of the human drama (1990a p. 216).

This unfolding stands in historical relation to the perfect act of mediation achieved in Christ:

Every human action - says Blondel, the philosopher - is prophetic of Christ, or secretly refers to him; this is no anonymity of grace in the general character of the human, as for Rahner. Rather the anonymous reference is given precise, historical serial positioning in relation to the incarnation - whether, before, after, or alongside. (1990a p. 216)

However, for Milbank, Blondel does not sufficiently stress the necessity for all action to be referred to Christ in order to interpret its heterogeneity as 'love'; harmony of difference rather than violence of difference. Thus he does not adequately reckon with nihilism, a reckoning Milbank himself defers to Part IV, 'Theology and Difference'.

However, he turns first to consider further the consequences of the Rahnerian version of integralism for Latin American liberation and European political theology. Milbank is alarmed to find political and liberation theologians embracing a theory which empties Christian ethics/politics of its substantive content, abdicating responsibility for the analysis of the social and political to Marxism or another secular theory. This is because such theologies are adopting Karl Rahner's version of integralism, instead of Blondel's.

As we have seen, 'integralism' is the view that human beings have always already been affected by divine grace, such that 'natural' and 'supernatural' influences on the integral whole are indivisible. Milbank agrees with liberation theologians such as Gutierrez, Segundo and Clodovis Boff that the council failed to recognise the political implications of integralism, concerned as it was to distance itself from the earlier 'integrist' politics, which had advocated a clerical dominance based on a "totalizing" theology which had to be accepted 'whole' (1990a p. 207). He further accepts the liberation theologians' conclusion that the consequence of integralism should be that the political and social are inseparable from the soteriological, and that the experience of base communities and lay leadership in Latin American makes nonsense of the "distinction of planes" (between spiritual and secular, corresponding to a clergy/laity distinction) model of conciliar theologians such as Congar (1990a pp. 206-7).

To use terms already familiar in this thesis (5.8), the Rahnerian version incorporates an Enlightenment conception of negative freedom which cuts free from the telos of Christian

tradition. The consequence of the Rahnerian position is that "the social process itself is identified as the site of transcendence, of a process of 'liberation' which consists of gradually removing restrictions upon the human spirit" (1990a p. 229). The result of this is that the locus of salvation becomes an anonymous ethical decision in the secular realm:

The *content* of salvation is therefore decided at the level of a Kantian principle of practical reason, and theology, including an apparently 'orthodox' Christology and trinitarian doctrine - merely provides an elaborate regulative apparatus to secure this content and bestow upon it an infinite significance. (1990a p. 229)

It is this sacralized categorical imperative which provides the basis for the political engagement of liberation theology. What is absent here is a sense that the Christian practice of love might require a specific set of practices, virtues and traditions to sustain it. Thus he writes:

For these theologies, the single imperative to 'love' others, which means to desire their liberation, is supposed to well automatically from the depths of the human heart. All other moral prescriptions must be judged according to 'situational' criteria, as to whether or not they maximise human love and freedom. There is no sense here of the impossibility of giving any content to love, or the exercise of freedom, unless we articulate them in terms of a complex set of virtues, which means appeal to a particular form of human social existence. (1990a p. 230)

Thus the ethics of political and liberation theology incorporate the classic Enlightenment formulation - best represented recently by Habermas - that Moralität (morality deduced from universal rational foundations) is prior to Sittlichkeit (ethics grounded in concrete practices). This can be seen in European political theology in the case of J B Metz.

Metz departs from Habermas in asserting the need to go beyond the ideal speech situation and its foundation in existential encounter by recalling the memory of the suffering of human communities, and thus invoking a sense of responsibility for them. Yet he does not include within his model an account of the reasons for this suffering, crucial in Christian tradition to account for the suffering and death of Christian martyrs, and indeed for the passion of Christ (Milbank 1990 a p. 239). Instead, senseless suffering predominates, mirroring negative freedom. While this may present an apt image for the twentieth century, it does nothing to define any substantive Christian practice, any basis for Sittlichkeit, which Milbank sees as essential to convey the difference of Christianity.

Continuing this theme of the need for Christianity to show substantive difference to secular reason, Milbank agrees with Rahner and his followers that moral imperatives are mediated by reason which participates in divine practical reason. But where, for Rahner, this is on the basis of the a priori 'supernatural existential', for Milbank, following Blondel, this proceeds historically. He explains:

it is, for Christianity, 'restored' by the incarnation of the *logos*, whose peculiar practice upon earth provides us with the key to all human performance. The Rahnerian idea that Christian belief provides only 'motivations' for rational ethical behaviour, is by contrast, astonishingly shallow. (1990a p. 230)

Pursuing this argument, Milbank concludes the chapter by considering "the priority of *praxis*" in liberation theology (1990a p. 249-252). Superficially, this resembles the priority of action in Blondel. However, it transpires that a dualistic distinction between theory and practice is being proposed, whereas for Milbank's metacritical perspective there is no pure realm of action prior to theory; rather action is always already theorised (1990a p. 250). Even Clodovis Boff, who rejects cruder versions of the priority of *praxis*, separates *praxis* as pure ethical performance from theology as second order reflection. Against such a view Milbank argues for a 'supernatural pragmatics':

Priority of *praxis* turns out, in Boff, to mean that there is a *theoretically* knowable structure permanently undergirding the process of the production of wealth which belongs to, and defines, 'the order of the real'. On the other hand, religion, in its most 'universal' aspect, is located in the noetic order which has a logic *quite apart from historical practice altogether*.

Against this foundational practice, one should set 'supernatural action', broadly as conceived by Blondel. Christian action is always 'textual', it always has theoretical presuppositions. On the other hand, theological theory is always a practice, in the merely historical sense. (1990a p. 251)

It should be noted that while the foregoing argument applies to the Rahnerian tendency to 'naturalise the supernatural', Milbank is equally critical of Protestant neo-orthodoxy. He condemns neo-orthodoxy's attempt to render a certain 'supernatural' discourse immune from criticism by creating a sharp distinction between the revealed Word of God and human religion. He sees this simply as a variation of liberal Protestantism, colluding in the secular definition of the political and social as the realm of dominium:

this sort of neo-orthodoxy¹⁵ is itself but a variant of liberal protestantism: a revealed word of God which speaks only of itself, which does not really penetrate the realm of human symbolic constructions without getting tainted and distorted, must continue to be without impact upon the world, and therefore remains locked in a category of the specifically religious, just as much as the liberal protestant notion of religious experience. (1990a p. 101)

By contrast with such abstractions Milbank, following Blondel, locates the supernatural in collective cultural action (1990a p. 218), and hence his affinity with the Christian socialist

¹⁵i.e. the sort which "insist on the absolute contrast between the revealed world of God and human 'religion', which as a mere historical product can safely be handed over to any reductive analyses whatsoever." (1990a p. 101)

tradition, which he associates with traditions of fraternity, direct economic co-operation and organisations of professional and labour solidarity. These act as an embodied critique of modernity's tendency to corrode associations which might intervene between the power of the state and the autonomy of the individual (1990a pp. 228, 243). Furthermore, ultimately, these practices are based on an imitation of Christ:

for Christianity, love is a highly complex, learned practice, which Jesus spells out in fully exemplary fashion. It is only because charity is seen as fully defined by Christ's words and actions that one can speak of Christ as carrying out an irreplaceable restoration of human nature. (1990a p. 236)

The life of the church is thus seen as an (imperfect!) re-narration of the life of Christ. This theme is pursued in Milbank's articles which follow Theology and Social Theory, where he develops his ecclesiological understanding of christology. Thus he seeks to reconcile 'high' and 'low' christologies in the gospels by reading them "not as the story of Jesus, but as the refoundation of a new society, a new kind of community" (1991b p. 317). The consequent interpretation of central Christian doctrines runs as follows. "The incarnation has no meaning except as 'the beginning', the foundation of the Church, a new sort of community of charity and forgiveness" (1991a p. 232). The atonement is understood as "the inauguration of a 'political' practice of forgiveness, forgiveness as a mode of 'government' and social being. This practice is itself ongoing atonement" (1991b, p. 327). "To remember the resurrection", which is "the memory of 'ordinary' conversation, of eating and drinking, continuing beyond death", and to "hope for a universal resurrection is a 'political' act: for it is the ultimate refusal of all denials of community" (1991a, p. 232).

7.4 Against Postmodern Nihilism

The final section of Theology and Social Theory, entitled 'Theology and Difference', begins by sketching an alternative science of social interaction (Chapter 9).¹⁶ Here Milbank differentiates his account from Ricoeur's attempt to insulate human from natural sciences by developing a distinction between explanation and understanding (1990a pp. 263-8). Instead, there is a fundamental continuity located at the level of narrative. Natural science describes the isolation of repeatable patterns and thus permits instrumental control where these are reliable (1990a p. 259). The innovative capacity of human action limits the scope for such control. Here, as we saw demonstrated in Milbank's arguments against sociology, there is no constant fait sociale or universal subject prior to culture to which to appeal.

¹⁶i.e. an alternative is required, having rejected political economy, sociology and dialectics.

Natural science is mediated by narrative at three levels, a mediation often concealed by positivist accounts of scientific knowledge (1990a p. 269). Firstly, "scientific experiments and theories are themselves repeatable narratives" (1990a p. 270). Second, different narrative renderings of the same experiment are sometimes possible, suggesting a further narrative relation, that of the history of science in which one paradigm succeeds its predecessor by enlarging the scope of instrumental control. Third, there is the scientific narration of difference through classification, either by abstracting salient characteristics (e.g. to identify individuals or species by anatomical features), or by locating characteristics along a continuum (e.g. to identify individuals or species by genetic make-up) (1990a p. 271).

Finally in Chapter 9, Milbank discusses relations between instrumental control, science and capitalism. The Frankfurt school and their successors see the main danger to human freedom in the encroachment of instrumental reason on 'the lifeworld' (3.6), and Milbank admits that this provides a strong account of the development of European totalitarianism earlier in the century (1990a pp. 272-3), although he questions their modern concept of negative freedom. However, he concurs with Lyotard's insight that both science and capitalism converge on the promotion of managed innovation, rather than total control. It is the indifference to substantive principles of justice of the mechanisms of management that the greatest present danger lies (1990a p. 273).¹⁷ Whereas socialist modernism rejected tradition outright, capitalism "will always and forever reterritorialize", in the sense that it can go on 'marketing' obliterated values in an "ironical, cynical and sentimental spirit" (1990a p. 274). This factor should be borne in mind when considering returns to tradition in contemporary contexts.

As we have seen, Milbank sees postmodern nihilism as the main intellectual challenge to theology, and it to this that he turns in Chapter 10. He sees Nietzsche as the "master of suspicion", who challenges Christianity not on the basis of an invented secular foundation, but with an allegedly "baseless suspicion" (1990a p 278). Other post-modern thinkers are treated as providing elaborations of Nietzsche's philosophy, either by pursuing his method of genealogy, telling the history of truth as "the narrative of the constitution of strategies of power", or by developing his fundamental ontology, which focuses on "difference as the condition of possibility for thought and action" (1990a p. 260).

What is 'postmodern' about these thinkers? Before Kant, finite action was understood in relation to the infinite, although theorising this relation had become increasingly problematic since the late medieval expansion of the secular. Kant, however, 'solved' these difficulties by denying the possibility of comprehending the infinite, instead describing reality in terms of the permanent conditions of finite existence - "such as temporality, closed spatiality and

¹⁷In the mechanisms of "supply and demand determined not by considerations of need, desire and justice, but the (abstract) desires of the owners of capital and of distributed income".

mechanical causality" (1990a p. 280). Hence the modern 'metanarrative' (following Lyotard) project of understanding the world in terms of the conditions of finitude, such as "production, labour, society or instrumental reason" (1990a p. 280). But postmoderns contend that these attempts to specify the permanent conditions of finitude are just as metaphysical as the analogical understanding of the relation between infinity and finitude which had preceded them. Instead of laying a new foundation for knowledge, Kant in fact adds another storey to the edifice of "self-transgression" - another mutation in human self-understanding. Hence the project of genealogy - the telling of the history of these mutations. This, in turn, re-introduces the possibility of reviewing the finite/infinite relation, and hence the ontological concerns of some postmodern thinkers (e.g. Deleuze 1991, Derrida 1973).

Milbank begins by considering Nietzsche's critique of metaphysics. Nietzsche saw the root of the error that is metaphysics in the Socratic and Platonic attempt to distinguish between moral virtue and strength by associating virtue with a permanent, transcendent Good. Nietzsche saw this as a negative, defensive, ascetic reaction, the refusal of the weak to recognise the triumph of the strong in the struggle for survival, a reaction intensified by the Christian fusion of Platonism with the 'perverse' story of a crucified God.

Milbank reviews Christian responses to this challenge. First, a defence of realism, often appealing to Kant, can be made. Second, the critique may be accepted, and an attempt made to de-Platonise the Christian understanding of God. Third, a radical difference between Being and God can be posited. Milbank sees the first as another guise of the doomed foundationalist project, subject to the metacritique outlined at 7.3. He sees the second as a capitulation to nihilism which sacralises violence and anarchy, and the third as heretical: if one continues to accept both God and Being without their equivalence God must become a being, which hopelessly compromises Christian orthodoxy.

Instead, Milbank first attacks the inconsistencies of nihilists, and then elaborates his own Christian alternative (Chapter 12), via a consideration of other 'benign' interpretations of post-modern insights, including MacIntyre in this category (Chapter 11). Milbank argues that Nietzsche does not proceed on the basis of 'pure suspicion' but actually shows himself to be a "positivist sociologist" by declaring as universal a certain agonistic account of primitive humanity (1990a p. 283). Here he makes two mistakes, first to naturalise the condition of the strong man, the human predator, whereas as Milbank argues that the "behaviour of the strong man is never spontaneous, it is always imitative of a cultural paradigm of strength" (1990a p. 283). Second, Nietzsche also misreads 'primitive' societies (and shows himself to be a "political economist") by emphasising the process of bargaining for equivalence between

strong men, assuming an original anarchy of value, and ignoring historical and anthropological evidence to the contrary.¹⁸

Third, Milbank argues against Nietzsche's successors that the element of liberation which they retain in their philosophies is inconsistent with a thoroughgoing nihilism, and represents in each case a residual Kantianism. Milbank argues that it is Lyotard "who has made the most sustained attempt to articulate the ethics of an agonistic politics" yet (1990a p. 316), and therefore argues his case in relation to Lyotard's thought. Lyotard models culture as competing language games, or "genres of discourse" (Milbank 1990a p. 317). However, rather than accept the interactions between these genres as purely agonistic, he attempts to 'liberalise' or 'democratise' them. He does so in three ways. First, by asserting the rights of all individuals to participate. Second, by arguing that the only really serious differences ("differends") occur between rather than within genres. Third, by limiting the competition between discourses such that the "formal integrity" of each is safeguarded (1990a p. 317). He justifies the third by equating the multiplicity of genres with Kant's division of the discourses on truth, goodness and beauty.

Milbank argues that each of these arguments fails. First, since genres are not invented from scratch in a neutral setting by ahistorical individuals, but rather socially, by groups who are always already embedded in language, and language in relations of power, so that the ideal of equal participation becomes meaningless. Second, since the rules of a language game cannot comprehensively adjudicate what may be said - poetic innovation is always possible - equally serious differends can arise within cultures (1990a p. 317). Third, the independence of Kant's discourses cannot be sustained - Lyotard himself shows how the discourse of practical reason cannot help making theoretical assumptions, and neither can Lyotard's own formulation. Therefore, only the nihilist view that "discourses ... necessarily and without justification impinge upon each other, phrase by phrase" survives (1990a p. 318). Milbank concludes:

If this is the case, then one cannot try to smuggle back the benignity of Kantian liberalism, as Lyotard desires: no natural, 'philosophical' ethics, ontology or politics can appeal to a justice which demands that every discourse be allowed to be true to its own formality. Between nihilistic univocity and Catholic analogy ... there is no longer any third liberal path. (1990a p. 318)

In this context the liberal subject can no longer provide any defence against fascism, which can always expose the liberal subject's "illusory universality" (1990a p. 319). As a myth fascism can only be opposed by another myth, not argued with. In this context, Milbank considers the work of the *nouveaux philosophes* who, like Milbank, accept nihilist arguments against liberalism and invoke religion as an alternative myth, but who also re-invoke the

¹⁸By contrast, primitive heroic societies themselves believe in hierarchies of values and the objective equivalence of different objects. (1990a p. 284).

subject and human rights, in the hope that "the invoking of such sublimity can make some small practical difference between naked totalitarianism and a liberalism that is, nonetheless, in essence, totalitarian" (1990a p. 319). Milbank rejects this idea as futile, and resorted to only because they have wrongly accepted the nihilist reduction of cultural action to power, so that they can only appeal to a purely other-worldly religion (1990a p. 320). Instead, Milbank asks:

...why, if power is only an idea, a fiction (albeit a fiction in whose trammels we seem inextricably caught), cannot there be an alternative invention of a social and linguistic process that is not the dominance of power (that is to say, of power in the sense of violence)? (1990a p. 320)

It is to the imagination of this possibility that Milbank then turns, arguing that such an imagining is partially anticipated in Plato and Aristotle's invention of "ethics: the imagination of 'the good' as an alternative to power"¹⁹ (1990a p. 321). It is in this context that he examines MacIntyre's work.

7.5 Milbank on MacIntyre

The first point on which Milbank takes issue with MacIntyre is his account of incommensurability (1990a pp. 339-344). In Chapter nineteen on "Tradition and Translation" in *Whose Justice? Which Rationality?* MacIntyre challenges "one of the defining beliefs of modernity"; the "belief in its ability to understand everything from human culture and history, no matter how apparently alien" (1988 p. 385).²⁰ He argues against the possibility of certain kinds of translation, in particular, that translation from traditional languages²¹ into modern international languages²² is not, in some cases, possible. This is because the sense of history and strong conceptions of truth and rationality presupposed by the author and his or her

¹⁹Here, as elsewhere, Milbank does not adequately distinguish between power and violence. However, in his endorsement of Augustine's support for the discipline of 'pastoral' oversight he intimates a recognition of the legitimate use of power and arguably force (e.g. 1990a pp. 398-406), and in his refutation of *dominium* exercises rhetorical power himself. I therefore suggest that 'violence' would read better than 'power' in this definition of ethics.

²⁰If I may add a personal anecdote, this is why I chose to do more humanities and sciences rather than additional languages at school; I thought it better to know as much as possible in one language than to repeat the same knowledge in another language, which I understood to be just another arbitrary representation of the same reality.

²¹I am using the phrase 'traditional language' as shorthand for the language of a "tradition-informed community", which MacIntyre distinguishes sharply from the "internationalised languages of modernity" (1988 p. 384). MacIntyre describes a traditional language as "closely tied to the shared beliefs of that tradition" (1988 p. 384).

²²MacIntyre argues of "internationalized modern languages" that "it is characteristic of such languages that they are tied very loosely to any particular set of contestable set of beliefs, but are rich in modes of characterization and explanation which enable texts embodying alien schemes of systematic belief to be reported on ... in detachment from all substantive criteria and standards of truth and rationality" (1988 p. 384). The 'value-neutral' approach of Religious Studies since the 1960s has surely got to be one of the best examples of this as a self-conscious practice.

original audience are rendered invisible in the process of translation and re-contextualisation (1988 pp. 384-5). This process greatly alters the sense of a text, no matter how well the grammar or syntax are rendered. It is like the re-presentation of artefacts in the glass cases of a museum, or of animals in the cages of a zoo; the network of symbols and human community within which the artefact lived, the ecosystem within which the animals lived, are both gone, replaced by the 'gaze' of a more powerful culture which renders them mere objects of curiosity or aesthetic pleasure. In this sense certain meanings of texts in traditional languages are not accessible in modern international languages; to this extent these kinds of language are incommensurable with one another.

As Milbank points out, MacIntyre's argument here has been criticised by Jeffrey Stout and Stephen Fowl, following the arguments of Davidson and Putnam. Their argument runs that incommensurability of meaning cannot be asserted without self contradiction, because to recognise linguistic and cultural differences we must already have come to some understanding of a language or culture - to be able to recognise them as language or culture at all. As Milbank writes:

If we are unable to make any such connections whatsoever, then the upshot will not be a recognition of 'incommensurability', but rather pure incomprehension. (1990a p. 340)

Radical disagreement presupposes some basis in agreement, which limits how radical it can be. On the basis of this, Davidson and Putnam argue that "faced with incomprehension of another language or culture, then the presumption must be, not of a radically alien worldview, but rather that we have not yet discovered our own linguistic equivalent for those strange signs" (Milbank 1990a p. 340). Because of this initial, inevitable, presumption ('charity is forced on us' as Davidson writes), no part of another language can be placarded off as 'incommensurable'. Translation may be very difficult, but not impossible in principle. Milbank here follows Fowl in agreeing that incommensurability of meaning is not defensible, but neither is it necessary for MacIntyre's case. Rather, what matters for MacIntyre is incommensurability of truth:

One can comprehend two different meanings [thus refuting incommensurability of meaning], two different solutions, and yet still have no means of deciding between them [maintaining incommensurability of truth]. (Milbank 1990a p. 340, my additions)

However, MacIntyre provides a further argument which seems to be neglected by Milbank and the other critics. He initially accepts their argument that only to the extent that we have understood what is allegedly inaccessible would we have grounds for believing it to be such, thereby undercutting our claim to its inaccessibility. However, he holds that this only applies to a particular understanding of translation: direct translation into our own first language. If, however, the discovery of inaccessibility is a two stage process, involving first the acquisition

of a second first language and only then, from this new vantage point, recognising the impossibility of rendering aspects of this second first language into our first language, then the incommensurability of meaning thesis appears sustainable (1988 p. 387).

What does this argument mean in terms of thinking about the complexities of living in a multi-traditional society? I take it to mean that certain kinds of understanding between members of different traditions are only available to those able to grasp another tradition's language-in-use, and that there are limitations on the meanings that can be conveyed by translations into modern international languages, which tend to subsume differences to their own powerful, sceptical epistemological assumptions. This puts minority traditions in modern plural societies at a kind of 'epistemological disadvantage'; the very language they have to use to communicate with the majority undercuts the particular truth claims of their first language-in-use.

However, this reflection suggests two further points not really dealt with by MacIntyre: first, the question of the integrity of the individual who acquires a second language-in-use, and second, the integrity of tradition in a context where members of that tradition may acquire a variety of second languages in use. Initially, it is important not to lose sight of the point made above that to grasp a traditional language, as opposed to a modern international language, entails more than linguistic ability in a technical sense; imagination, empathy, poetic ability in the sense of an ability to innovate, and commitment are all, arguably, also involved. Indeed, how far is it possible to understand another tradition in this sense without 'conversion'?²³ Furthermore, Milbank's metacritical perspective suggests that if our understanding, including our self-understanding, is constituted by the languages we use such that we cannot (against Kant) grasp any pre-linguistic epistemological categories, then the acquisition of a new language-in-use must throw into question the identity of the individual. As Milbank writes:

for an alien tongue to become to be comprehensible to us need not mean that we have found some linguistic equivalents [to our first language], merely that we have begun to be ourselves alien to our former selves through the process of encounter. (1990a pp. 341-2)

However, we probably will not, unless we remain in a new linguistic environment for a very long time, lose our previous linguistic competence; so we do not become "alien to our former selves" in the sense of no longer understanding ourselves. Rather, the individual is in a condition where s/he may understand two sets of truth-claims, but lacks any criteria to decide between the two. An example of such a juxtaposition of truth-claims is that of the 'thick' and 'thin' epistemological assumptions of traditional and modern languages. For in their

²³One may also ask, what is the relation of such conversion to linguistic ability? For example, on an understanding which relies on this kind of analogy to language to model tradition, how does the Islamic status of the Muslim 'revert', or the British born South Asian heritage Muslim, who knows no more Arabic than the shahada, compare to the Christian expert in Qur'anic Arabic?

juxtaposition each is mutually problematised, so that their underpinning assumptions are transformed into truth-claims: they cease to be accepted as obviously true and become merely claims, open to contestation.

As we saw in Chapter 4, MacIntyre sees this condition as the modern moral dilemma, and attempts to solve it by a return to an Aristotelian understanding of the relationship between virtue, character and tradition. Integrity and stability of identity is preserved within this framework; so although the Cartesian subject is rejected by MacIntyre, a united mental subject, whose narrative identity is firmly anchored in tradition, is proposed. By contrast, Milbank challenges this:

...the trouble is that both sides of this argument²⁴ still assume a united mental subject. Whereas, in fact, we are not wholly united individuals occupying a single holistic world; instead we find it quite possible to hold inside our heads several subjectivities, even if some of these are merely 'entertained'. (1990a p. 341)

Milbank continues by arguing that, in continuing to espouse a coherence theory of truth as a defence against radical incommensurability within discourses, pragmatists like Davidson and Rorty fail to see the implications of their own acceptance of the metacritical insight that we cannot get 'behind' signification (1990a p. 342). For, as Milbank argues:

The absence of any *schema* separable from content does not imply one world, but an infinity of different worlds, discontinuous as well as continuous. This is why pragmatism, as Deleuze realises, cannot recognise only a single, pragmatic standard, but must pass immediately over into a philosophy of difference. (1990a p. 342)

This is significant in so far as I have defended MacIntyre's theory of tradition as a theory of coherence. MacIntyre was defended against the charge of Hegelianism in this manner (see 4.7), by arguing that each reformulation of tradition is simply more adequate to its context on pragmatic grounds, rather than with reference to some dialectically evolving truth. But if there are no watertight signifying systems, but rather only the continual jostle and reconfiguration of phrases in dispute, then coherence theories of truth collapse. Thus Milbank can argue that not only are individuals composed of multiple subjectivities, but cultures are composed of incommensurable elements:

Within our culture there are cathedrals and nuclear power stations, theologies and technologies, arts, sciences, and so forth. In consequence, incommensurability is always already present. ... The problem of incommensurability, of establishing orders of priority amidst these disjunctures (between different arts, between arts, games, science, technology and warfare, and *within* an art, a game, a science itself) is therefore a problem *internal* to every culture, as Plato's *Republic* already recognises. (1990a p. 342-3)

²⁴i.e. MacIntyre against Davidson and Putnam.

Furthermore, Milbank argues that MacIntyre really subordinates narration to dialectics.²⁵ Milbank sees a value to dialectics, but argues that it cannot bear the weight that MacIntyre loads upon it. For it cannot cope with 'poetic' innovations within traditions, nor can it deal with the displacement of one tradition by another. In particular, Milbank challenges MacIntyre's idea, crucial to the theory of traditions presented, that a tradition can recognise the superiority of another tradition rationally, by its own criteria. Instead, Milbank argues:

...there is a *questionableness* about every switch of tradition, which escapes dialectical adjudication. What triumphs is simply the persuasive power of a new narrative, which gives an important position to some themes and characters in the old plot, while abandoning others that were once equally important. (1990a p. 346)

Milbank also accuses MacIntyre of being insufficiently historicist (1990 p. 327), arguing that MacIntyre naturalises an Aristotelian ethical framework of practices, virtues and traditions, whereas for Aristotle his framework is "rhetorically locked within the bounds of the *polis*, along with the virtues it commends" (1990 p. 351). This interpretation of Aristotle against himself would not matter, if MacIntyre's framework remained valid on other grounds. However, Milbank argues that it does not. In particular, he argues that "Christianity implies a critique not only of the prescriptions, but also of the formal categories of antique ethics" (1990 p. 399).

He does so first by questioning the degree of continuity between Aristotle and Aquinas found by MacIntyre, arguing that the place of charity in Aquinas undermines the antique concept of 'the mean', which sprang from the conception of the individual as ideally self-contained, and in doing so re-defines the form of virtue itself (1990 pp. 359-362). From this Christian standpoint antique virtue almost appears as no virtue at all, "*squeezed out* between prudence and the appetites" (1990 p. 362). This contrast becomes even more striking in Augustine where the idea of individual virtue is displaced altogether, thus reconciling the antique tension between virtue as the cultivation of the soul, and the common good (1990a p. 370), or between *psyche* (soul) and *polis* (city):

Augustine's real and astounding point is this: virtue cannot properly operate except when collectively possessed, when all are virtuous and all concur in the sequence of their differences; hence the actual, 'possessed', realised virtues which we lay claim to, *least of all* resemble true, heavenly virtues. On the contrary, the only thing really like heavenly virtue is our constant attempt to compensate for, substitute for, even short-cut this total absence of virtue, by not taking offence, assuming the guilt of others, doing what they should have done, beyond the bounds of any given 'responsibility'. Paradoxically, it is only in this exchange and sharing that any actual virtue is really present. (1990 p. 411).

This exposition comes in the context of wide-ranging analysis of antique antimonies, which Milbank argues are overcome in Christian tradition, especially by Augustine. Thus the

²⁵"the questioning of an assumed position (or of nature) through question and answer" (1990a p. 345).

antique antimony between *polis* (city) and *oikos* (household), manifest in Aristotle and Plato's inability to see the household as an arena for the exercise of virtue, is also overcome. This is possible through the Christian re-understanding of the city *as* household, and as with the tension between soul and the common good,²⁶ its meaning is transformed in the process.²⁷ For in each case agonistic struggle (within the person or city gates) is replaced by interdependence. The primacy of the defensive integrity of the individual/city is replaced by the primacy of loving/'charitable' relationship. On this account, Christianity provides the first (and on Milbank's account only) true theory of the interpersonal:

What was lacking for [antique reason] was both a notion of the interpersonal, and of the collectively corporeal as not 'debased'. Where the predominant figure is of the organisation of an interior, then one is confined to ideas of the subordination of below to above, or of resistance to all that threatens self-sufficiency. One can think in terms of the soul as the discipline of reason over ever-recalcitrant forces inside us, or of the *polis* as material solidarity against an enemy, but not of external relations and outgoings as the very substance of thought and virtue. Such a perspective is much more provided by the Johannine idea that we are 'in one another'. Here 'participatory mixture', both within God, and for ourselves, is *prior* to the question of what is 'proper' and self-identical. But this is not a mere 'spiritual' mixing ... At the heart of 'communion' lies the material exchange of sacramental elements, and this allows the figure of 'body' to become, for St. Paul, that which primarily mediates the divine to us. (1990a pp. 371-2)

The third antique antimony is between an ontology of self-identity (the 'gods' of truth) and an ontology of difference conceived negatively, as arbitrary or random diversity (the 'giants' of difference) (1990a pp. 372-6). In overcoming this antimony Christianity, argues Milbank, also overcomes post-modern difference, whose project consists in exposing the chaotic beneath modern attempts to impose order. Milbank's strategy here is to accept the postmodern deconstruction of modernity, but to oppose the postmodern account of difference as conflict with a Christian account of difference as harmony:

The distinctiveness of Christianity, and its point of contrast with both antiquity and modernity, lies in its 'reconciliation of virtue with difference', or of *Sittlichkeit* with freedom. ... Thinking an infinite differentiation that is also a harmony: this is what grounds the reconciliation of difference with virtue. (1990a pp. 417, 427)

Milbank finds such a 'thinking' begun in the trinitarian theologies of Augustine and Dionysius the Areopagite (1990a p. 428). Here creation is perceived as proceeding from diversity within God, such that:

Unity, in this Christian outlook, ceases to be anything hypostatically real in contrast to difference, and becomes instead only the 'subjective' apprehension of a harmony displayed

²⁶Milbank explicitly uses the term 'common good' in exposing the antique antimony between individual and collective on p. 370: "To invoke justice, the common good, or the city as a whole, means, on one available option, to 'ascend' to the soul, yet this involves a paradoxical retreat to the individual."

²⁷"[T]he Christian *polis* that is also a household, containing only a ramifying network of households (though the monasteries and the 'Christian state' have a potentially abstractive character) is no longer exactly a *polis*, just as Christian virtue is no longer exactly virtue." (Milbank 1990a p. 369)

in the order of the differences, a desire at work in their midst, although 'proceeding' beyond them (as the Holy Spirit). ... This entirely reinvents the idea of order. ... This [Baroque] hierarchy is not an antique, natural order, but nor is it a post-modern 'plateau' [Deleuze] where all is indifferent. 'Baroque' hierarchy, ... is instead the appearance of the divine self-realisation in finitude, and therefore as a vertical sequence up which each individual can contemplatively and actively rise. At its summit lies not a static contemplation, but a full participation in the suspension downward of hierarchies (the aiding of others by charity) and a greater participation in the suspension forwards of the thearchy, God's infinite self realisation. (1990a pp. 428-9)

It is in this fundamental ontology that Milbank's opposition to the 'stoic-liberal-nihilist' continuity between antiquity, modernity and post-modernity, and from it that his Christian 'counter-ethics' proceeds (1990a pp. 398-417). Thus the contours of Christian 'counter-project' that Milbank opposes emerges: counter history, opposing the primacy of secular stories with their myth of original violence, counter-ethics, overcoming virtue as self-containment with virtue as harmony, and counter-ontology, as the imagination of original harmony.

However, it remains unclear how such a project can be realised in a society largely unpersuaded by the Christian narrative. Milbank admits as much when he summarises his thesis, and then reflects on the difficulties of applying it:

One could say that Christianity denies ontological necessity to sovereign rule and absolute ownership. And that it seeks to recover the concealed text of an original peaceful creation beneath the palimpsest of the negative distortion of *dominium*, through the superimposition of a third redemptive template, which corrects the distortions by means of forgiveness and atonement.

This is all very well, but what of the persistence of the second text, and the way the church compromises with it and continues itself to write it? This is the problem that Christianity can scarcely claim to have resolved. (1990a p. 417)

In this context he considers Augustine's justification for the use of coercive force both in pastoral discipline by the church, and by the state. He finds Augustine's theory of just coercion (in the context of punishment) inconsistent with his ontology of peace, injecting a positive moment into punishment itself. By contrast Milbank argues that while punishment may be designed to correct, in itself it only demonstrates power, and it is always possible that only the lesson of power is learned (1990a pp. 419-422).²⁸ Therefore he argues that coercion

²⁸"The revolutionary aspect of his [Augustine's] thought was to deny any ontological purchase to *dominium*, or power for its own sake: absolute *imperium*, absolute property rights, market exchange purely for profit, are all seen by him as peaceful and violent, which means as privations of Being. But his account of a legitimate, non-sinful, 'pedagogic' coercion violates this ontology, because it makes some punishment positive, and ascribes to it the action of divine will. This is inconsistent because in any coercion, however violent and benignly motivated, there is still present a moment of 'pure' violence, externally and arbitrarily related to the end one has in mind, just as the schoolmaster's beating with canes has no intrinsic connection with the lesson he seeks to teach. ... Thus although a punishment may be subordinate to essentially persuasive purposes which are at variance with the worldly *dominium*, Augustine fails to see that the duration of the punishment has

is only ever a tragic necessity, and calls for the church to be an "*asylum* ... a social space where a different, forgiving and restitutionary practice is pursued", and where "truly just economic exchanges occur" (1990a p. 422).

What does this outline of Milbank's ideas suggest for the MacIntyre-based model of traditions developed in this thesis? Some specific points pursued by Milbank against MacIntyre have already been discussed, and we shall shortly pursue these further. However, first it may be instructive to review some commonalities between the two in the light of the overall context of the thesis - that is the pursuit of the common good with special reference to religious diversity in modern secularised societies.

In spite of their differences, there remains considerable convergence between MacIntyre and Milbank. Both reject the modern tendency to reduce social relations to the mediation between the sovereign state and the sovereign individual, eroding other forms of association or 'civil society'.²⁹ The positive role of churches where civil society has been eroded - for example in Eastern Europe and South Africa (De Gruchy 1995) is now well documented. This also suggests, in the British context, support for religious communities in their striving to build their own educational resources in particular, and hence a support for separate schools and distinctive RE provision, to be discussed further below (8.2-8.6). It also suggests resistance to the idea of a national religion, and resistance to attempts to enforce this through compulsory worship in schools. Furthermore, in so far as religions continue to embody different values, they and other parts of civil society may act as a bulwark against the more subtle totalitarianism of consumerism, which, Milbank argues:

permits individual freedom, encourages the thought of the object of freedom as being the exercise of *personal* power, and so the better builds up both the energies and assumptions which allow for a general extension of an efficient, all powerful system. (1990a p. 274)

It is also possible to argue that while both MacIntyre and Milbank reject the nation state and focus their attention on the development of communities of virtue, both presuppose that the communities with which they are most concerned are able exist civilly alongside, and to engage in argument with, other communities. In the case of MacIntyre this is explicit in Three Rival Versions of Moral Enquiry in his vision of a "postliberal university as a place of constrained disagreements", or of rival universities together with "a set of institutionalised forums in which debate between rival types of enquiry is afforded rhetorical expression" (1990 p. 234). It is also implicit in MacIntyre's argument for the rationality of tradition, and

to be an interval of such *dominium*, for the lesson *immediately* and intrinsically taught here must be the power of one over another, and it always possible the victim will learn only this lesson" (1990a pp. 419-420).

²⁹Note here Milbank's support for the practice (wrongly theorised by liberation theologians, in his view) of Latin American base communities (1990 p. 408).

in his account of reasoned exchange between traditions. However, as we have seen, Milbank challenges these accounts. Yet, given his objection to coercion as inconsistent with Christian ontology, and given the presence of communities unpersuaded by the Christian story, the only societal relations conceivable on Milbank's model range from persecution of the church by other communities or the state, to the kind of civil relations with rhetorical mediation between communities envisaged by MacIntyre. In this context Milbank's church stands as a reminder that secular modernity is only as necessary as its imagination, a church armed only with its rhetorical powers to persuade people of the peaceable alternative.

Yet, accepting this premises, it seems to be possible to go further than Milbank in envisaging shared action with other groups, without the capitulation to secular norms which he so strongly rejects. In developing his Christian rhetoric, like Augustine before him, he plainly draws on sources far beyond the church,³⁰ and there seems to be no reason why the admission of "*ad hoc* reductive suspicion" (1990a p. 119) from secular sources should not be extended to *ad hoc* co-operation in civic relations, along the lines advocated by MacIntyre (1985 p. 255). Considered in this light, Milbank can be interpreted as offering a new way of understanding the Christian eschatological dilemma of being 'in the world yet not of the world'. Thus we can return to the difficulties raised by Milbank for MacIntyre's account.

Milbank seems to provide ways of thinking through multicultural existence which seem to overcome some of the inflexibilities of MacIntyre's model of traditions, although new problems of individual identity and coherence of tradition are posed. In particular, MacIntyre's model seems to achieve the integration of broader aspects of culture with intellectual culture at the expense of creating an excessively rationalistic concept of tradition. Rather, it would seem that new elements are mostly incorporated into cultures by *ad hoc* processes rather than through epistemological crises. Similarly, it would appear that individuals are capable of entertaining multiple cultural identities and of 'navigating' between cultures (1.3).

Nonetheless, epistemological crises for intellectual cultures and identity crises for individuals do occur. Are these to be accounted for solely in terms of an excessively rationalistic concept of culture, or of a mistaken desire to cling to the concept of a united mental subject, as Milbank argues (1990a p. 341)? I suggest not. Rather, it would seem possible to steer a *via media* between Milbank and MacIntyre, hanging on to the basic insight - incorporated in MacIntyre's emphasis on narrative - that we need stories to make sense of our lives. While both individuals and cultures can accommodate a great deal of diversity, some coherent sense

³⁰For example, Deleuze, Foucault and Girard are each acknowledged as sources without which "the present book would not have been conceivable" (1990a Acknowledgements), and it must be plain from my account of *Theology and Social Theory* that this debt could be considerably extended.

of identity is needed for the mental health of the individual, to enable collective decision making, and some coherence in terms of values and practices is necessary for the functioning of a society, again to enable decision making. In fact, such a need for coherence is already recognised in Milbank's argument for the indispensability of myth (1990a pp. 2-3).

As we have seen, Milbank's proposed 'therapy' is to abandon the notion of the unified individual/culture in favour of one of two models of difference: the postmodern model of a flux of elements in endless dispute, which he rejects, or the Augustinian/Blondelian Christian model of harmony, in which individual virtue collapses into mutual self-sacrifice. However, this is problematic since Milbank's model applies only to the church, outside whose gates he sees only dominium.³¹ In arguing so strongly that Christianity is the only bulwark against nihilism he undercuts MacIntyre's claim to present a general model of virtuous tradition. This does not have to mean that the public arena need be abandoned; as we saw above at 4.6. Joseph Kotva has argued for the importance of the contribution of individuals and groups from virtuous communities to public life.

But it is also possible to use Milbank's insights to develop a *general* model of interactions between traditions, even though one which exists in eschatological tension, whose telos lies in a truly peaceable harmony in contrast to the desert of secular civic peace. Thus it is possible to incorporate both MacIntyre and Milbank's insights and thus to see individual identities and cultures as necessary constructs - locally and temporarily coherent networks of meaning continually re-configured, mostly at the fringes, but occasionally in their fundamental structure. Here identity and integrity are woven not into an essentialistic something 'above' or 'beneath' the flux of becoming, but in the narrative structure told and re-told over time. In this context, virtue-sustaining communities (in the broad as well as specifically Christian sense) can find points of contact in the public arena for the pursuit of the common good, which may be seen as imperfect anticipations of their own distinctive teloi. Indeed, Milbank's emphasis on the rhetorical mediation of tradition, in contrast to MacIntyre's emphasis on rationality, gives greater grounds for optimism for the preservation of distinctive traditions. At the same time, the defence of the need for stories or myths of identity preserves the coherence defence of MacIntyre's account of rationality from Milbank's deconstruction, with the result that ad hoc rational exchange between traditions remains a possibility. What is uniformly resisted by traditions, on this account, is the modern reduction of other forms of life, of the diversity of languages to pre-linguistic categories of thought, of the differences of history to the ahistorical constructs of sociology, and of the diversity of cultural production to the uniformity of capital.

³¹or the possibility that we can "receive Christ again, from the unique spiritual resources of other cultures", which turns out to mean "the continuing work of conversion" (1990b p. 190).

How might such an account be applied? The reply to this will fall into two parts. First, in this chapter, a comparison with a key thinker in current political theory, John Gray. Then, in the final chapter, a consideration of two applications: to human rights, and to education.

7.6 Tradition in Babel: MacIntyre, Milbank and Contemporary Politics

It can be argued that the early 1990s saw a convergence between liberals and communitarians on questions of ethics and community in plural societies, or more precisely a 'communitarianisation' of liberalism (Ferguson, forthcoming). This was seen in Chapter 3 above in Rawls' concession that his theory is co-extensive with a particular form of society (Rawls 1993), and in Kymlicka's reconsideration of the importance of community for liberalism (Kymlicka 1989). One important insight in this process has been to see a distinction between the goal of tolerance and the particular methods of achieving it advocated by proponents of the Enlightenment project. Thus the intention of creating a society in which different forms of life can peacefully co-exist is separable from the methods of (a) discovering a universal reason to adjudicate rival claims, and (b) a separation of public from private to exclude certain claims from the public arena, in particular religious ones.³² There has been an attempt to get behind (a) and re-think (b) by returning to early thinkers such as Locke (e.g. Galston 1991).

It should be noted that the Enlightenment goal as described here is exactly what MacIntyre's substantive vision of rival traditions in interaction envisages, and it has been argued that such a state of affairs is also presupposed by Milbank; thus there is a convergence on an interim goal of civic peace between divergent communities. It is also possible that forms of liberalism with distinctive virtues as conceptualised by Galston (1991 pp. 213-237) may pass the test of being sufficiently coherent to constitute a tradition in MacIntyre's stronger sense, by being able to generate sufficiently determinant outcomes of practical reasoning (see above, Chapter 4.4).

John Gray's changing outlook can partly be understood against the background of the communitarianisation of liberalism. Gray has argued for a postliberal position in which liberal institutions are justified not on universal rational grounds, but on pragmatic grounds:

whereas any form of fundamentalist liberalism was rejected according to which liberal forms of life possess universal rational and moral authority, the post-liberal view affirmed the near universality, in the late modern world, of varieties of civil society in

³²Also domestic claims, and discourses of sexuality; here the bourgeois public sphere mirrored the *polis* in its subjugation of *oikos* to *dominium*.

whose institutions the elements of liberal political morality were preserved. (1995a pp. 135-6)

However, Gray now argues that this view was mistaken, in particular because it took insufficient account of cultural diversity and presupposed too much culturally specific individualism. By contrast, he now argues:

In political milieux which harbour a diversity of cultural traditions and identities, such as we find in most parts of the world today, the institutional forms best suited to a *modus vivendi* may well not be the individualist institutions of liberal civil society but rather those of political and legal pluralism, in which the fundamental units are not individuals but communities. (1995a p. 136)

In this turn to community Gray resembles MacIntyre, and he also accepts MacIntyre's critique of the Enlightenment project (1995a pp. 147-151). However, like Milbank, he disagrees with MacIntyre that the Enlightenment project can be rationally overcome by a return to Aristotle or Aquinas:

the self-defeat of the Enlightenment, particularly as that is expressed in the thought of Nietzsche, is the endpoint of that larger and longer Western intellectual tradition of which Thomism was one of the most powerful syntheses. There can, in my view, be no rolling back the central project of modernity, which is the Enlightenment project, with all its consequences in terms of disenchantment and ultimate groundlessness. (1995a pp. 151-2)

Gray does not consider Milbank's alternative of an equally groundless commitment to a different, harmonic, ontology of difference, although he does provide a location for considering Milbank's work by his consideration of the Counter-Enlightenment's attempts to reverse disenchantment through "the exercise of human creative and imaginative faculties" (1995a p. 154). This is the juncture at which Milbank, following Blondel, finds access to transcendence (7.3). However, Gray's own view is that "the disenchantment that follows in Enlightenment's wake can perhaps be tempered, but not overcome" (1995a p. 154), at least within the Western tradition. Gray's argument here is that an understanding of liberal forms of life (consisting of individual rights, secularisation, industrialisation, democracy and free markets) as intrinsically related to one another and universalisable has failed. Thus Meiji Japan "grafted industrialisation and modern technology ... onto the intact stem of a wholly non-Occidental social structure and cultural tradition", modernisation tends to work against secularisation in Islamic societies because an "urban, literacy based culture ... strengthens the social position of Islamic scholars"³³ (1995a p. 168), while China is engaged in the project of developing market institutions without democracy or civil society. Thus:

³³Gray follows Gellner here; see Gellner E (1994) Conditions of Liberty: Civil Society and its Rivals London Hamish Hamilton, Chs. 3 and 6.

Contrary to the ideologues of the New Right, nothing in the project of constructing or developing market institutions commits anyone to the adoption of the institutions of democracy or civil society (1995a p. 140).

All that remains of the Enlightenment project of a universal civilization is "the radical modernist project of subjugating nature by deploying technology to exploit the earth for human purposes" (1995a p. 178). While the resistance to other aspects of Westernisation may be globally felt, "there is no evidence, as yet, in the post-Soviet lands, in China or in Islamic countries, that the rejection of the Western Enlightenment project is accompanied by resistance to the Western humanist project of the technological domination of the earth." (1995a p. 179) It is in this context that Gray begins to sound like MacIntyre again; calling for the development of new forms of community rooted in tradition as a bulwark against the homogenising and nihilistic tendencies of modernity:

It is legitimate, indeed imperative, that we seek a form of rootedness which is sheltered from overthrow by technologies and market processes which, in achieving a global reach that is disembedded from any community or culture, cannot avoid desolating the earth's human settlements, and its non-human environments. (1995a p. 181)

However, Gray moves beyond MacIntyre's gesture towards the actuality of rooted communities in After Virtue (1985), and his re-envisioning of the university in Three Rival Versions (1991). Gray insists that the cunning of modernity must be harnessed in the sustenance of such communities; carefully drafted trans-national institutions will be needed. However, to avoid causing greater cultural and environmental devastation such institutions must be based on non-nihilist practices and understandings, and Gray considers that:

It is an open question whether the cultures of Western peoples are still fertile in this sense. (1995a p. 182)

However, he finds some hope in Heidegger's appropriation of Meister Eckhart's concept of Gelassenheit, "in which we wean ourselves from willing and open ourselves to letting things be" (1995 p. 182). Here, perhaps, he connects with Milbank, who rejects the voluntarist Scotist God, found guilty of the unleashing of antique dominium in more virulent form, in favour of an immanent trinitarianism which sees harmonic inter-relation at the heart of all being. Yet Gray remains sceptical of the West's capacity for self-redemption, concluding that "any prospect of cultural recovery from the nihilism that the Enlightenment has spawned may lie with non-Occidental peoples" (1995 p. 184). Perhaps a correlation can be discerned here with the earlier suggestion that the communities in the West which are most likely to embody tradition in MacIntyre's sense, are those of non-western minority cultures (1.6). In this section, our discussion of Gray has shown that shows that a similar diagnosis of our cultural condition to that of Milbank and MacIntyrean be combined with a faith in the possibility of

political action for the common good in the public arena. In this context we turn in the final chapter to the issues of human rights and education.

Chapter 8: Tradition and the Common Good: Human Rights and Education

8.1 Tradition and Human Rights

This chapter begins by testing MacIntyre and Milbank's views against a contrasting analysis of human rights, that of the international relations scholar Fred Halliday in his recent Islam and the Myth of Confrontation: Religion and Politics in the Middle East (1996). We shall also consider some other recent commentators including the legal scholar Ann Mayer in her Islam and Human Rights: Tradition and Politics (1995) and the anthropologist Kevin Dwyer in his Arab Voices: The Human Rights Debate in the Middle East (1991).

While the focus of these scholars is on the Middle East, their discussions are of relevance to Britain and other Western societies because arguments generated in the human rights debate in the Middle East are also used in Britain.¹ Human rights discourse is significant for our discussion of the common good because it is probably the most influential international ethical language, widely accepted in the West and both appealed to and contested by Muslims and other religious and cultural minorities in the West, and by governments, groups and individuals across the Middle East and Asia.

The issue of human rights has already been discussed at several points in the thesis (e.g. 1.7, 4.5, 5.1, 5.7). MacIntyre and Milbank do not discuss the practice of human rights, but do criticise the language. As we saw at 4.5, MacIntyre describes rights as 'fictions', but a positive gloss was put on this, suggesting that while lacking universal rational foundations, the construct of human rights has utility in opposing injustice across national and cultural boundaries. Thus MacIntyre's critique was held to suggest the need for this discourse to become more deeply embedded in local contexts rather than its abandonment; such embedding is evident in Dwyer's presentation of rights discourse in use in the Middle East (1991). Furthermore, using MacIntyre's model of traditions in interaction, it is possible to see the adoption of a culturally re-embedded human rights discourse, and some of the institutions which this arguably presupposes (especially a vital civil society), as a solution to part of the epistemological crisis posed for Muslim societies by modernity.

Milbank's analysis of rights seems less open to a positive re-interpretation. In Theology and Social Theory the only explicit mention of human rights in the post 1948 sense comes in Milbank's condemnation of their advocacy by the "*nouveaux philosophes*" (1990a p. 319, above 7.4). He

¹For example, in Need for Reform: Muslims and the Law in Britain (UK Action Committee on Islamic Affairs, 1993, pp. 14-15 and 23-6).

does so because he sees this move, like that of Lyotard and other postmoderns, as an illegitimate attempt to smuggle a Kantian liberalism back into a postmodern ethics which has already exposed the groundlessness of the former. As we saw at 7.4:

Between nihilistic univocity and Catholic analogy ... there is no longer any third liberal path. ... We may hanker after the liberal subject as a bulwark against fascism, but fascism will always be able to announce, truly, the illusory universality of the subject. (1990a pp. 318-9)

It is not so clear, however, what the strength of this criticism is against a disenchanted, post-liberal (in Gray's sense) advocacy of human rights. Such a view might see human rights as a discourse with a European-American origin (and associated cultural baggage), whose status as international moral discourse is due primarily to the Western nations' influence and reaction to the atrocities of World War II. This concept and law has nonetheless been taken up by non-Western minorities in defence of individual and groups against (mostly) government oppression. In such contexts it has been mobilised within local networks of concepts, practices and organisations. The pragmatic value of the concept/law lies in its efficacy in mobilising local and international opposition to government oppression. Such oppression is contrary to MacIntyre's advocacy of free exchange between communities (and relative freedom within communities, which are constituted by constrained argument), and also contrary to Milbank's rejection of coercion.

Halliday reviews resistance to human rights, on the basis that these represent Western cultural imperialism, as articulated by Muslim and other Asian governments, especially as manifest at the June 1993 Vienna UN Conference on Human Rights and the preceding regional conferences (1996 p. 133). He provides a useful typology of Muslim responses to human rights, outlining five different positions:

- (1) Assimilation: human rights and Islam are entirely compatible - favoured by liberal Muslims to fend off both fundamentalist and international criticism, and often drawing on a liberal reading of sacred texts.
- (2) Appropriation: an Islamic basis for human rights is more comprehensive than a Western (secular or Christian) basis: emphasis especially on the shortcomings of Western positions in the areas of economic, cultural and social rights.
- (3) Particularism: Western political arrangements, including human rights, do not apply in Muslim societies.²

²Halliday cites King Fahd of Saudi Arabia: "The democratic system prevailing in the world does not suit us in the region ... Islam is our social and political law. It is a complete constitution of social and

(4) Confrontation: Islam provides a comprehensive basis for human welfare and other systems should be disregarded or opposed. This differs from (2), in that there is no attempt to argue that Islam provides better human rights on a common scale - Islam is different and superior.

(5) Incompatibility: for a variety of reasons (textual, political, social) human rights are not compatible with Muslim societies. This may be because they conflict with the requirements of the Qur'an (textual), because the norms of relationship in Muslim society are non-individualist and hence inhospitable to the concept (social), or because there is a tradition of authoritarian forms of government unfavourable to the development of human rights traditions (political).

Halliday argues against (1) that while such liberal interpretations may be possible, (although it is difficult to see how some texts can be given a liberal gloss),³ such interpreters miss the point that the overwhelming context of interpretation is illiberal, so such interpretations are unlikely to prove persuasive:

Texts are not ... the main reason for the difficulties with human rights: in this sense Islam is not the issue. What is far more intractable is the political and social context of interpretation, the manner in which texts are conventionally interpreted in the contemporary social and political conditions of the Islamic world. The 'meaning' of a holy text is therefore, not wholly, but largely, a contingent matter. The option of simply rejecting the texts is not open, given the claim to divine origin, but neglect sometimes is (Quranic injunctions on, say, slavery, have certainly been rejected). However, to assume that a liberal, modern interpretation will be derived from these texts is to assume a very different political and social climate in the Muslim world. (1996 pp. 155-6)

Halliday argues that the process of secularisation, in the sense of the exclusion of religion from the public and political domains, is in fact a pre-requisite for the development of a tradition of human rights, with the consequence that liberalising attempts to re-interpret religious tradition from within are destined to failure. thus he writes:

Secularism is no guarantee of liberty or protection of rights, as the very secular totalitarian regimes of the twentieth century have shown. However, it remains a precondition, because it enables the rights of the individual to be invoked against authority because it is associated with a broader 'culture' of individualism and toleration, which are themselves prerequisites for the respect for human rights. Thus whatever the texts, the religious culture and nature of the political forces involved, the whole attempt to evolve an Islamic position on human rights is doomed. The only response is to promote and await - no doubt for many years to come - the secularization of Muslim societies. ... the only foundation for human rights can be the secularised derivation of natural law that underpins the Franco-American discourse present in the Universal Declaration of Human Rights and similar documents. (1996 p. 140)

However, this seems at variance with his conclusion that:

³ In this regard Halliday writes: "with all the interpretative energy in the world, some of the texts pertaining to women, non-Muslims and apostates cannot be fudged" (1996 p. 155); in support he cites Mayer (1991), the updated edition of which (1995) is used in this thesis.

The hope for reinforcing respect for human rights in these states rests as much with the elaboration of a liberal Islamic understanding of the issues as it does with the strengthening of secularism. (1996 p. 158)

The only possible reason for the strategy of supporting liberal interpretations of Islam comprehensible in terms of the view that only the secularized societies can support human rights, is that liberal Islamic understandings will promote the process of secularization, and therefore Halliday offers only a highly cynical form of support to liberal Muslims. His argument here would seem to run contrary to both MacIntyre and Milbank. It is contrary to MacIntyre's faith in traditioned communities' ability to support tolerance within and between communities, and ignores MacIntyre's contention that it is only in virtue-sustaining communities that coherent moral discourse can be maintained, so that a substantive ethical base (*Sittlichkeit*) is necessary to sustain a moral discourse like human rights (*Moralität*). Here, MacIntyre can be criticised for failing to show how a virtuous community becomes a tolerant community - especially given the record (which he acknowledges) of his prime model, the Athenian *polis*, on its attitudes towards outsiders, females, slaves, minors and the unpropertied (4.2). The suggestion that openness to new challenges from within and without is necessary for the health of tradition is insufficient in this regard. Something positive, like Markham's formulation (6.6) that truth is important, but very difficult to grasp, so we need different others in our search for truth, is needed here. However, Halliday also fails to show how the secularizing social processes which he sees as supporting human rights are self-sustaining, and hence to answer the charge that they are not - a charge levelled, as we have seen, by critics as diverse as MacIntyre, Connelly and Habermas.

Halliday's case is contrary to Milbank in arguing that secularization enables toleration, whereas for Milbank secularization unleashes state power, or in its late capitalist form personal power (1990a p. 274), such that liberalism always collapses into totalitarianism, whether of the state or consumer variety. Here, it may be argued that Milbank pays insufficient attention to the institutions of civil society generated by liberalism, although it may also be argued that Halliday pays insufficient attention to their fragility in a Western context, thus damaging his argument for their universal applicability. Here Arendt's pessimism concerning the frailty of liberal institutions of political participation may correct Halliday's position and support Milbank (Canovan 1992 pp. 202-4). At the same time, Arendt's concern with building of participative political institutions in the public arena serves as a judgement against Milbank's retreat into the ecclesial (Canovan 1992 pp. 232-243).

Halliday argues that attempts to formulate (2), the presentation of an Islamic basis for human rights, are simply incoherent. Given his argument that specific cultural preconditions are

necessary for the development of human rights traditions, and are as yet in short supply in Islamic societies, it could hardly be otherwise. Following Mayer, he finds that the formulation of human rights schemes by Muslim governments and international bodies have in fact been incoherent (1996 p. 149). Thus Mayer concludes regarding Islamic human rights schemes:

The authors do not seem to have approached their task with methodological rigor, as the many inconsistencies and deficiencies in their work indicate. At times their rights provisions suggest that they have managed to attain only a tentative grasp of what the concept of a human right entails. Certainly, they have neglected to think through the historical connection between the values and philosophical premises of human rights and the nature of protections afforded in international law. Little effort appears to have been expended in pondering the jurisprudential adjustments that would be needed to accommodate human rights within an Islamic framework. (Mayer 1995 p. 163-4)

Yet the West does not have it all its own way. Halliday holds that many of the criticisms made by Muslims of Western human rights practices are justified. However, this is so not because of a superior Islamic perspective on human rights, but rather because of the adoption of human rights norms by Muslims making such criticisms (1996 pp. 151-3). But Halliday is incorrect to argue that Muslims can only point to inconsistencies between Western human rights theory and practice because they accept the universality of rights discourse. Rather, they show only that they understand, or can 'entertain' rights discourse; such understanding does not necessitate acceptance. Thus it may be that Muslims understand and use human rights language to express interests arising from quite other sources; as Milbank would put it, Muslim may merely 'entertain' the liberal structure which supports rights discourse.

Against (3), particularism, Halliday argues that the culture and politics of Muslim countries are of the same order as found in other parts of the world, and therefore the argument that human rights are inappropriate in their particular political and cultural context fails. Thus he writes:

Behind the transhistorical and divinely sanctioned legitimacy lie projects for the acquisition and maintenance of political power in the late twentieth century. These may vary, as between tribal oligarchies (Saudi Arabia and other Gulf States), military regimes (Pakistan, Sudan, Libya) and clerical dictatorships (Iran), but the mechanisms and goals of these projects are eminently comprehensible in secular terms and comparable to those of other contemporary political systems. ... States have embraced Islamist discourses above all where this has served to consolidate power at home or to promote the state's interests *vis-à-vis* other Muslim states or the West. (1996 pp. 149-150)

How does this relate to Milbank's argument against secular reason, in particular against sociological reduction of religion to more supposedly fundamental secular categories? One possibility is to view it as an example of the ad hoc suspicion which he permits, without conceding to the totality of the secular metanarrative (1990a p. 119). Indeed, it can be seen as

confirming Milbank's thesis of the all-pervasiveness of secular reason, leaving the 'remnant of Christendom' as the sole site of resistance. However, it surely also exposes the danger of this line of reasoning. An alternative, religious, order becomes a precious hypothetical possibility, while secular reason can explain any actual political or social phenomena. Hence the importance of asserting MacIntyre's model of tradition as a mode of analysis in the public arena, albeit in a form modified to concede much to Milbank's critique. Halliday implicitly denies the integrity of a tradition of enquiry to Islam in his argument that contemporary factors understood in secular terms are always more important in determining contemporary outcomes than tradition, whether textual or otherwise.

This brings us to Halliday's response to (4), those Muslims who argue that Islam provides a different but better (in a universal sense) alternative ethical-political tradition to human rights. Against (4), we have already seen that Halliday favours a secularist approach to safe-guarding individual welfare and liberty. At least he is in agreement with the confrontationalists that both social and political cultures and textual traditions of Muslim countries and Islam make it difficult to square such traditions with human rights discourse. But he disagrees with them in their assertion of a unified, monolithic Islam, and in their genetic⁴ critique of the tradition of human rights. Thus under the title 'Myths of Tradition' (1996 p. 146) he argues that Islamic tradition is polyvocal, and that much of what is claimed as traditional is recently invented for reasons of political expediency:

while on some questions the weight of Islamic tradition is identifiable and distinct, much of what passes for Islam is a particular, contemporary and arbitrarily formulated set of views, or local tradition dressed up as authoritatively 'Islamic'. (1996 p. 147)

In particular, he challenges the way in which shari'ah is presumed to be a unified, comprehensive and unchangeable law code, arguing that it is not, "even in Islamic terms". He cites Aziz al-Azmeh⁵ in support:

Islamic law is not a code. This is why the frequently heard call for its 'application' is meaningless, most particularly when calls are made for the application of *shari'a* - this latter term does not designate law, but is a general term designating good order, much like *nomos* or *dharma* ... Calls for the 'application of Islamic law' have no connection with the Islamic legal tradition built upon multivocality, technical competence and the existence of an executive political authority which controls the legal system. It is a political slogan, not a return to past reality. (In Halliday 1996 p. 148)

There are two parts to the argument presented here. The first appears to dispute the meaning of shari'ah partly on etymological grounds, which Halliday suggests a little earlier by arguing that

⁴i.e. in terms of origins, in this case, western, colonial ones.

⁵al-Azmeh A (1993) *Islams and Modernities* Verso, London, pp. 12-14.

"*shari'a*, literally 'path' or 'way' ... did not initially denote legal code at all" (1996 p. 148), and partly by appeal to some permanent, ahistorical meaning of the term. The latter is evident both in the al-Azmeh extract ("this last term does not designate law"), and in Halliday ("*shari'a*, literally 'path' or 'way'"). Yet both in appealing to a fixed and permanent ahistorical meaning and in trying to fix a 'true' meaning through etymology, Halliday violates his own principles of enquiry. For in a later chapter he attacks the practice of "etymological reductionism", and especially "the attempt to explain the meaning of words in today's discourse by reference to their classical roots", which he describes as "an absurdity" (1996 p. 206). Second, his attempt to fix the meaning of a word, to avoid its misuse by those who disagree with him, is inconsistent with his historicist principle that "we have to look behind the assertion of a transhistorical body of thought ... and examine how in the conditions of the modern world a specific tradition has become codified and implemented" (1996 p. 147).

Halliday's argument is also flawed in other ways. Al-Azmeh seems to be pointing out that the conditions under which Islamic law was codified differ from those of the contemporary state, and possibly that those who call for the implementation of shari'ah are ignorant of these differences. But he does nothing to aid Halliday's point that the unity and permanence of shari'ah is fictitious "even in Islamic terms" (1996 p. 148). On the contrary, the sketch of shari'ah at 5.6-5.7 suggested that at least since the tenth century for the majority of Sunnis shari'ah has been regarded as a stable and coherent body of law, albeit circumscribed in scope of application by political circumstances, and with only relatively minor differences between the four law schools.

Halliday also accuses confrontationalists' of committing a genetic fallacy by criticising human rights on the grounds that the latter derive from a culture that also spawned racism and imperialism. Following Mannheim against Marx (1996 p. 212), he argues that the conditions of production of an idea tell us nothing about its validity. Thus he states:

Logically, there is no reason why the *origin* of a set of moral or legal principles should be equated with its *validity*, in regard to human rights, any more than in regard to democracy, or economic development, or natural science. This claim, of a delegitimising hegemonic origin, is the fallacy at the root of all discourse against 'eurocentric', 'ethnocentric' and related thought. (1996 p. 152)

Interestingly, Halliday's argument here actually serves to defend MacIntyre and Milbank against the charge that however cunningly they attempt to reclaim them, the historic sources they wish to retrieve are irredeemably tainted - by ethnocentrism, misogyny, homophobia etc.. We have already considered MacIntyre's difficulties with Aristotle's 'metaphysical biology' (4.2). An example from Milbank's work could be his use of Ruskin, which emphasises Ruskin's moral

critique of capitalism and attempted retrieval of medieval guilds, but neglects entirely his views on race, and the centrality of Britain's civilising mission to his teaching (Said 1993 pp. 123-6).

But is an assertion of the logical independence of origin and validity sufficient to answer a claim such as Fanon's that "For the native ... objectivity is always directed against him" (in Said 1993 p. 196)?⁶ Furthermore, Halliday's argument would seem to work against MacIntyre and Milbank in the sense that both rely on constructing historical narratives which claim to show a continuity of ideas across vast stretches of time, space and culture. Thus MacIntyre charts the history of virtue from Homeric Greece to Jane Austen's England in After Virtue. As we have seen, Milbank traces the triple rejection of Baroque poesis, an immanent trinitarian account of creation, and Aristotelian praxis, from twelfth century scholasticism to twentieth century social theory. A strict divorce of origin and validity would appear to deny the relevance of this exercise for understanding contemporary usage of ideas and practices, indeed it would undermine the entire genealogical enterprise.

But what is meant by 'validity'? Halliday does not elaborate philosophically, even in his more extensive argument with Said (1996 pp. 195-217). But from what he does write, its meaning seems to correspond quite closely to 'knowledge which enables instrumental control', as in Milbank's description of science (7.4), Gray's of western manipulation of nature (7.6), and Habermas' of instrumental rationality (3.6). Particularly striking is his defence of the validity of knowledge acquired in the colonial period:

If you want to dominate a country, you need to know where its mines and oases are, to have a good map, to be aware of its ethnic and linguistic composition and so forth. ... To put it bluntly: if you plan to rob a bank, you would be well advised to know what the routines and administrative procedures of its employees are, and, preferably, have some idea of who you can suborn from within the organization. (1996 p. 213)

Validity refers to how good a job a concept does in performing a particular function: in the case of human rights, how effectively it protects individuals and groups from government oppression, and of individuals from group oppression. Of course, once groups come into the picture, the question of the protection of the group from individual subversion appears (as in The Satanic Verses); some complexities arising here were discussed at 3.5. But in the context of the historical projects of Milbank and MacIntyre, it would appear that while origin does not determine validity - the whole post-colonial project of 'writing back' would refute that⁷ - the two are not entirely

⁶From Fanon F (1961) The Wretched of the Earth tr. Farrington C Grove, New York, p. 77.

⁷As discussed at 2.4, post-colonial fiction employs the strategy of 'writing back' - spatially from the colonial 'periphery' to the metropolitan 'centre' - but also using the same literary techniques which contributed to the imagination of Empire subversively. This would not be possible if ideas only reflected their original context of production, and hence could not be re-deployed in new contexts

independent either. For the history of the use of a concept or practice can shed light on its current deployment - light which purely synchronic analyses may fail to shed. The change of aspect achieved by MacIntyre on current moral discourse, or of Milbank on current social theory, are evidence of this.

Furthermore, while a close link has been made between MacIntyre and Milbank's historical projects and those of the genealogists, a crucial difference is also worth noting. Milbank describes the genealogical project as:

to undermine some present constellation of power by exploding the 'eternal verities' which it claims to promote, and exhibiting the 'base' origins of its apparently noble pretensions. (1990a p. 281)

We saw this exemplified above in Milbank's account of Nietzsche's 'exposure' of the origins of metaphysics in ascetic reaction to powerlessness (7.4). Milbank and MacIntyre's projects certainly fit with the first part of the definition as intended exposures of secular reason, but their aim seems less to expose the 'base' origins of this reason as to suggest a certain incoherence or error at its point of departure from prior tradition. The aim is less to shame than to correct. Thus, for MacIntyre, it is the break up of the teleological structure of moral language, moving from humanity as it is to humanity as it should be, which renders it incoherent. For Milbank it is the departure from poesis, creation and praxis which shatters the coherence of the Christian narrative. Thus, however much Milbank stresses the difference between his advocacy of rhetoric from MacIntyre's advocacy of dialectics, the fact remains one must have some determinative notion of the shape of Christian belief in order to object to these departures from orthodoxy. Hence both are defending the coherence of a theory.

Returning to Halliday, perhaps the best argument he could offer against confrontationalists (4) and incompatibilists (5) would be that the laws, ideas and practices associated with human rights are already embedded in the societies of countries whose governments - and some opposition Islamist movements - attempt to repudiate them. Thus, as we noted above, Mayer (1995) is able to point out that the governments of most Muslim countries are signatories of the major international human rights covenants, and thus obliged in international law to uphold the provisions of those covenants. Furthermore, there is evidence of substantial popular support for human rights movements (Dwyer 1991). Halliday is right that such support is restricted by the prevailing political culture in such countries - a condition well dramatised in Mernissi's chapter on the UDHR in her Islam and Democracy (1993). But I suggest that he is wrong to see long with transformed meanings (the genetic fallacy).

term secularization as the only solution. Both Mernissi and Dwyer give cause for hope that movements which fuse traditional and modern elements to protest against injustice may have some impact. I suggest that such movements are more insightfully be viewed as the painful outcome of an epistemological crisis at the intersection of traditions, than as the unfolding of the metanarrative of secularisation.

This offers the possibility of defending MacIntyre and Milbank from Halliday's attack on "post-modernist rejection of any claim to universality and rationality" and "philosophic doubts about the validity of asserting universal entitlements" (1996 p. 158). He describes these positions as:

a debilitating intellectual fashion indulged in by people who give the impression of never having been near a human rights violation ...[and] ... for all the solemnity of its utterance and the genuine philosophic concern it reflects, a political and legal abnegation that corresponds rather weakly to the requirements of much of humanity. (1996 p. 158)

The model of traditions in interaction not only enables one to make sense of the fusion of modern and traditional while maintaining the integrity of tradition, it also enables one to answer a possible objection to the above argument, suggested as the best Halliday could offer, that governments in Muslim countries should respect human rights. For what if such governments could legitimately answer that no such popular movements for rights exist among our peoples? Rather than the simple insistence that universal rights exist in spite of the empirical evidence in the case of such peoples, a model of traditions in interaction could point to inadequacies within existing ideas and practices as junctures where an idea of human rights could help to solve present anomalies - or to anomalies generated by inter-cultural encounter. It could do so without having to insist on such ideas being always already present, but concealed. Thus it would not be committed to the necessary discovery of such anomalies - as a natural law theory is.

For example, an emphasis on 'rights' stresses the individual, although mention of the always implicit flipside of 'duties' brings society back into view. But this still presupposes an individual-collective dichotomy. Galtung (1994) provides us with a metaphor to 'unthink' this dichotomy:

Imagine a hunter-gatherer, or pastoral-nomadic community with people woven together in structures that take the shape of nets of rights and duties. The interaction net is made in such a way that everybody is relatively well protected. Human beings are of course physically/biologically recognizable in this network. And the more densely the net is spun, the more difficult or meaningless it will be to detach the individual from the network. Individuals are in the *net* not only in the *knot*, a useful metaphor and vocabulary. (1994 p. 6)

In these circumstances, moral obligations need to be defined in terms of 'nets' and not just 'knots'. I take it that this is also the point Milbank is making when he argues that:

the [sociological] view that religion concerns the relation of the 'individual' to the 'social' can be opposed in the name of 'hierarchical' societies (meaning a hierarchy of values, rather than of persons) for which both individuality and collectivity are subordinate to a substantive organization of roles, purposes and values.⁸ (1990a p. 140)

Nor is this a merely academic point, as Galtung makes clear when he considers the consequences of "verticality" - in the Western case, the characteristic of emphasising the relationship between the individual and the state - for minority cultural groups in Western societies. Thus he writes

The Western position combines verticality and post-medieval individualism in a strongly competitive system defining winners and losers. ... This excludes collective rights such as people's rights and other group rights. Women, age groups, indigenous groups, ancient peoples, non-western cultures pocketed inside Western societies are such groups, at the bottom of society often engaged in efforts to imitate the states subjugating them. More than most, they are in need of human rights to preserve and enhance their *group* characteristics, not only as individuals inside a given social structure. Denial of such collective rights is verticality at work. The individualizing prospect of human rights deprives these underprivileged groups of their major political asset: mobilization and organized struggle *as a group*. (1994 p. 16)

In view of this analysis, I suggest that it is through the embedding of global concerns in local traditions that the ethical concern which animates human rights is best defended, not by unjustifiable assertions of universality. The model of traditions in interaction advanced here can help us to conceptualise that process. But this means that MacIntyre's 'new and very different St. Benedict' (1985 p. 263) will be found developing new forms of local, national and global political participation, not building monastery walls. How might such a project be promoted, for example, in the field of education? It is to this question that we now turn.

8.2 Education and the Common Good

Education especially reveals the concealed public dimension of political life which even liberalism cannot suppress; in deciding *what* to teach, what to pass on any society expresses its view about what is really self-fulfilling. (Milbank 1990 p. 197)

Even if there were no assimilationist pressure, their [i.e. minority communities'] self-interest and vulnerability as well as the sheer cultural weight of British society would ensure that the communities would disappear within a generation or two, leaving behind rootless, feeble and fragile black and brown atoms tracelessly submerged in British society and periodically resorting to panicky and mindless forms of fundamentalist self-assertion. If we are happy with such an outcome, we should continue with the present policy. If not, we need to explore

⁸It is because of its closedness to this possibility that Milbank opposes sociology of religion: "But sociology is simply doomed to rediscover, everywhere, the specifically modern confinement and protection of 'the religious sphere'. The positivism which defines religion at, beyond, or across the boundaries of the 'social fact' is always subverted by a more radical positivism which recognises the peculiarity and specificity of religious practice and logic, and in consequence, the impossibility of any serious attempt at either scientific explanation or humanist interpretation" (1990a p. 140).

a more imaginative and pluralist vision of Britain, and develop a new social and cultural policy capable of nurturing ethnic identities within a shared cultural framework. A politics of citizenship which both promotes the rights of communities with regard to one another, as well as the obligations of communities to each other is an essential precondition of this pluralist vision. (Parekh in Andrews 1991 p. 197)

Parekh may exaggerate the threat to the survival of 'minority communities', but in so far as such communities can be identified as traditions in MacIntyre's sense he is right in seeing that modern societies pose a threat to their survival. In particular, communities which avoid the sectarian option and engage with the wider society seem to be most at risk. Yet, if the argument developed so far is correct, such tradition-sustaining communities nurture the kind of civil virtues upon which liberal societies are in fact dependent. Thus without the kind of "politics of citizenship" Parekh suggests not only will be minority communities be threatened, but the common good in society will become increasingly attenuated and fragile, and public life increasingly dominated by coercion and self-interest.

This section examines the educational implications of the thesis, seeking to answer the question 'What of the kind of initiation into a plural society do the arguments presented here suggest is needed?' It begins by developing the argument in broad terms, and then considers the implications for the education system in England and Wales. The question of citizenship concerns what it means to be a competent member of society, and of what rights one is entitled to expect from society in return. What competencies and expectations does the model of traditions in interaction in a liberal society presented suggest a citizen should possess? What kind of education is likely to produce this result?

The thesis indicates that an appropriate initiation into a plural society will need to nurture both a rootedness in cultural tradition and some of those abilities and qualities prized by liberalism, such as an ability to think critically and make reflective choices. Thus a means of conceptualising the plural public arena which recognises the sustaining contribution of religious and cultural traditions, as well as liberal abilities and qualities, is needed. This will have as its counterpart a model of reflective decision-making which stresses the cultural rootedness of such processes, or in Fitzmaurice's terms, some kind of a "reflectiveness-embeddedness dialectic" (1993; Chapter 3 above). Many controversial issues in education can be analysed in terms of the tension between the two poles of this dialectic. In the context of the English and Welsh education system questions concerning the cross-curricular elements of citizenship and multicultural education, the subject areas of religious and personal and social education (RE and PSE), the debates about 'separate' schools, and worship in schools, can all be analysed in this way; this will be the basic method of

this section.

But we begin with general educational models, using these to illustrate the tension between the two poles of the "embeddedness-reflectiveness dialectic". This can be achieved by comparing two American models of civic education; those of Gutmann (1987) and Galston (1991). The need for any form of civic education has been disputed by American liberals during the last thirty years, on the grounds that the diversity of groups in society make a common basis for such education impossible, and on the grounds that the common basis which must be presupposed in such education violates individual autonomy (Galston 1991 pp. 241-2). Gutmann disagrees with such calls for abolition, but places the dominant stress in her theory on the notion of autonomous decision-making. This can be seen in her description of the key democratic virtue as "the ability to deliberate, and hence to participate in conscious social reproduction" (1987 p. 39).

Galston recognises that autonomy is indeed a liberal virtue, but not the only one, and one which taken in isolation produces serious distortion (1991 p. 246). Rather:

Liberalism is about the protection of diversity, not the valorization of choice. To place an ideal of autonomous choice at the core of liberalism is in fact to narrow the range of possibilities available within liberal societies. (1991 p. 329)

He points out that knowledge of one's cultural tradition and of that of others is also necessary before "conscious social reproduction" can responsibly take place; the virtues of obedience to the law, willingness to serve one's country, and respect for the constitution are also prior to it. The constitution serves to provide stability insulated to some degree from shifting public opinion, while both constitution and law provide frameworks to protect minorities from the tyranny of majorities. Perhaps most importantly, he argues that few in practice "embrace the core commitments of liberal society through process of rational enquiry" (1991 p. 243). This last point is important because it points to the weight placed on a particular kind of reflexive rationality in Gutmann's position, an emphasis shared with other liberal writers (e.g. Rawls 1993, Raz 1986, Nozick 1974). However, as we saw in Chapter 3 this emphasis is problematic, in particular for two reasons.

First, there is the matter of how widespread the use of such rationality is in Western societies, and how widespread in other contexts. In practice, its use and significance appears to be both culturally and socially constrained. It has been suggested in the thesis that the development of reflexivity may be contingent on societal mobility and other forms of displacement (1.13 above). But such objections do not address the question of whether this form of rationality could, even if

practised by everyone in a society, actually do the kind of job liberals assign to it; namely to act as a shared minimal universal basis for decision making. The analysis of Habermas' notion of communicative rationality (3.6) suggests that even the circumscribed role he proposes cannot be universally grounded. Rather, a start has to be made with the substantive ethical traditions, liberal and otherwise, actually available.

Liberal educational policies have been criticised for apparently welcoming cultural diversity while in fact subordinating cultural traditions to a liberal educational philosophy at crucial points without justification for doing so (Hulmes 1989), and for proceeding with an assumption of shared cultural values without any attempt to specify what these might be or how they might be arrived at (Halstead 1988, White and White 1986). For example, Halstead points out that the Swann Report (1985) oscillates between a concept of shared values which all groups hold as a matter of empirical fact, and one which requires that "minority groups take on the shared values of wider pluralist society" (1985 p. 5 in Halstead 1988 p 216). The latter interpretation raises the question of the societal goals to which traditioned minorities are being asked to agree, while the problem with the former is that:

this minimum framework of values is a very thin one, certainly not sufficient to support a common system of education as extensive as we have today. (Halstead 1988 p. 217)

Thought therefore needs to be given to what this minimal set of values is. In Western societies individual freedom of choice is highly valued and kept in check by another shared set of values, respect for law and order, and where laws are disagreed with, commitment to democratic process to change them. Muslims and other traditioned minorities have few problems with the second set of shared values - even the forms of protest shown in The Satanic Verses controversy demonstrated this - but are likely to find the model of negative freedom implicit in the first more problematic. This is especially so if it means that children are being taught to question the fundamental basis of the religious tradition which, their parents believe, sustains meaning and purpose. In terms of Galston's model of civic education, it should be noted that the second set of values is seen as being prior to the first.

The account of tradition developed from MacIntyre and Milbank also suggests that the second set of values is essential to provide the kind of safe and ordered context within which traditions can prosper, but priority is given to the sustaining of these substantive ethical traditions, which are seen as necessary to develop respect for authority and reasoned negotiation, and hence the virtues of citizenship. Therefore, an education is needed which provides children with an understanding of and rooting in tradition, which gives them confidence in both their religious and ethnic identity

and British citizenship, and the confidence that tradition can renew itself through change and reflection in continuity with the past. The question is, starting from existing arrangements, how can this be achieved?

8.3 Citizenship and Multicultural Education

Education in Britain, especially in its continuing state of turmoil following the 1988 Education Reform Act, is a vast and complex field mined with potential flash points between competing perspectives and interests. The brief comments here cannot begin to do it justice; all that is hoped is that they might encourage reflection on how the model of traditions offered could serve thinking and planning in education. The statutory framework for the provision of education in England and Wales is the 1988 Education Reform Act. The Act obliges schools in the state-maintained sector to provide a curriculum which:

- (a) promotes the moral, spiritual, cultural, mental and psychological development of pupils at school and of society; and
- (b) prepares such pupils for the opportunities, responsibilities and experiences of adult life. (in King 1993 p. 5)

According to the National Curriculum Council (NCC), part of the delivery of this total package are the cross-curriculum 'dimension' of multicultural education and the cross-curriculum 'theme' of citizenship education. The NCC describe citizenship education in the following terms:

Education for Citizenship develops the knowledge, skills and attitudes necessary for exploring, making informed decisions about and exercising responsibilities and rights in a democratic society. (Curriculum Guidance 8, in Fogelman and Edwards 1993 p. 2)

Eight components are listed: 'community', 'pluralist society', 'being a citizen', 'family', 'democracy', 'citizen and law', 'work, employment and leisure' and 'public services' (1993 p. 3). These elements suggest relationships between the individual, community and society, and between different areas of the individual's life, which could provide a promising basis for an education in participative citizenship which respects embeddedness in cultural tradition. Unfortunately, however, a number of factors militate against the realisation of this possibility, some of which are contingent on 'accidental' matters of process, some of which touch on more fundamental issues. No definition of multicultural education is offered in government material related to the 1988 Act or National Curriculum, but non-statutory guidance states that the entire curriculum should incorporate multicultural perspectives:

multicultural education ... should be at the heart of curriculum planning, development and

implementation (NCC 1991 p. 3)

This cross-curriculum status for citizenship and multicultural education legitimises their presence in the curriculum, and in theory provides broad scope for their practice; but the fact that cross-curricular guidance is not statutory and not subject to national assessment tasks, whereas subject requirements are, undercuts the apparent advantage of this cross-curricular status, and means that they are likely to get squeezed out of crowded timetables. According to Hargreaves, the production of the NCC documents hastily and in sequence meant that "the opportunity for cross-subject collaboration in depth was lost": working parties fixed on subject areas without consideration of curriculum integration, and non-statutory guidance appeared only as an afterthought (Hargreaves in King and Reiss 1993 p. vii).

The Act undermined the role of the Local Education Authorities (LEAs) who had been central in promoting multicultural education policies, their power being largely transferred to central government and school governing bodies, especially in the case of those schools opting out of local authority control. The absence of social science subjects from the National Curriculum means that there is little analytic framework from which to develop an understanding of citizenship or traditions, a position reflected in NCC Curriculum Guidance 8 which stresses non-political community participation (community service, charity work) and "citizenship as legal status and volition rather than political competence" (King 1993 p. 12).

Brief consideration of the NCC History Working Group's Final Report and of the Statutory Order which followed it will indicate the difficulties for cross-curricular elements in the context of particular subject requirements (in Booth 1993). Seventy percent of the units at Key Stages 2 and 3 (ages 7-11 and 11-14) are on British History, while history is no longer compulsory at Key Stage 4 (14-16) (Booth 1993 p. 81). Booth notes the centrality of the whiggish march of progress, the chorus of liberalism triumphant :

the message which comes across on reading the British study units is that British history is essentially about the white indigenous people and is the story of the political and economic improvement of the great British people. ... Unit titles ... certainly give the impression of a top-down view of our past which moves inexorably towards prosperity, unity and democracy. (1993 p. 79)

However, Booth concludes nonetheless that there is room within the History National Curriculum for development of multicultural themes, both in topic and method; the problem is that the framework itself "does little to promote multicultural education" (1993 p. 89).

The picture is thus one of a certain rhetorical commitment to education for a plural society at the non-statutory level, combined with very little support for the realisation of such policy at the level of implementation. Thus prior to the question of how a tradition-based model of cultural diversity could be implemented is the problem of opportunities to address cultural diversity in any form. In this respect the government-backed (though not financially - this had to come from charity) report of the Paul Hamlyn Foundation National Commission on Education offers some hope, suggesting that citizenship should become a compulsory subject at Key Stages 2 to 4 (7-16) (1993 pp. 55-8). In response to research indicating the diversity of ways in which citizenship is being interpreted (anything from nature conservation to third world debt, Fogelman 1991), the report offers the following affirmation and definition:

We consider the teaching of citizenship of great importance. We define the subject in a broad way to concern the relationship between individuals and the world they live in. It relates not only to this country but to the European Community and the world as a whole. It concerns the institutions of democracy and the rights and responsibilities of individuals in a democratic society; the creation of wealth; the role of public and private employers and voluntary organizations; and the opportunities which people have to shape or play a creative part in the life of the community. (1993 p. 56)

Given the generally unpromising legislative and political context for addressing cultural diversity, what does a model of traditions suggest about modes of citizenship and multicultural education? One concern is that, especially given the small amount of time available to address these issues, a rather superficial view of culture and tradition will be presented, one quite at odds with MacIntyre's concept of tradition, which emphasises immersion in practices and devotion to their internal goods. As White and White ask:

What is it for a pupil to be 'introduced' to a practice? According to liberalism, being introduced to an activity for which one might opt must be primarily a matter of ... coming to understand enough of it to be in a reliable position to judge whether or not one wants to incorporate it into one's life plan. (1986 p. 159)

But to be introduced to a practice on MacIntyre's view one must engage deeply enough with it to develop some of the relevant virtues. However, while this model works quite well for practices like playing a musical instrument or learning a foreign language, it is not at all clear how it applies to citizenship and multicultural education, and the Whites do not explore these areas. But it may be suggested that the practice of democratic citizenship, for example, might begin by allowing students some democratic control over their time in school or in decision-making processes. Skills such as using consumer rights, or writing to their local council or MP about issues of concern would also be relevant. In the field of culture, exchange trips with schools in different areas of the country, especially between schools with different ethnic mixes, as well as

abroad, could be considered. More generally, MacIntyre's understanding of the role of practice in developing virtues suggests that it is better to engage with some topics in depth, rather than more at a shallow level. This suggests conflict with a liberal education seeks to sustain maximum choice, but arguably at the cost of any coherent framework to make sense of such choices:

Ideally, it would seem, pupils are not to commit themselves to a way of life until they have become fully acquainted with as many options as possible and reflected on which to pursue. ... But how is such reflection to be carried out? On what do they reflect? What guides their choice? Only, it would seem the intensity of maximisation of satisfaction; no other criterion is possible. (White and White 1986 p. 151)

In particular, there is no necessary connection between two goals of liberal education, which are to acquire cultural capital for personal satisfaction and to become a responsible and helpful citizen. By contrast on MacIntyre's model these goals are intrinsically related, although it has been suggested that their connections become how fragile in advanced capitalist societies. However, the school environment offers the opportunity for reinforcing the connection between practices, virtues, traditions and the common good. It can do so through the very fact that a preparation for life takes place largely within one integrated setting, through cross-curricular work, through involvement with the local community, and even through a National Curriculum which itself can be interpreted as a defence against fragmentation. This raises the issue of separate schools.

8.4 Separate Schools

While the significance of this issue may be questioned in terms of the numbers of Muslim children who would be likely to attend such schools were they to receive voluntary-aided status, it remains an important issue of principle for many Muslims (Akhtar 1993, UKACIA 1993). As indicated at 5.4, on the simple basis of equity there seems to be little rationale for local authorities and the government to continue to refuse Muslim schools voluntary aided status while continuing to grant Jewish, Catholic and Anglican schools such status. This is particularly ironic as, if the government had faith in the National Curriculum and the ability of the inspectorate to police it, such status would be a way of ensuring that Muslims schools operated within its boundaries.

Yet clearly liberal fears about such schools, especially in relation to equal opportunities for women, persist (Khanum 1992). At 5.4 we saw that the headmistress of the Muslim Girls' School in Bradford (which voluntarily adheres to the National Curriculum) justified the school in terms

of its ability to provide girls with educational and career opportunities which parental choice would otherwise curtail. Yet such an argument may be taken to construe equal opportunities too narrowly. A further aspect to this argument is that schools for minority groups may improve self-esteem and hence performance, a case which seems convincing for girls' schools (girls may be seen as a minority in Tajfel's sense, 1.3 above).

The importance of initiation into tradition for a tradition-based model would suggest support for such schools, remembering that the health of tradition is measured partly by its capacity for self-criticism, and to adapt within the integrity of tradition to changing conditions. McLaughlin has argued that even within liberal tradition "there is a less strong and direct connection between liberal educational principles and the notion of the common school than is often supposed", and that "the legitimate plurality of schooling arrangements" (which include considerations of the common good) are "worthy of serious attention" (1992 p. 114). He argues that there are a number of valid starting points for "the child's journey towards autonomy and liberal citizenship", one of which is:

the basis of experience of a particular 'world view' or cultural identity; a substantiality of belief, practice and value, as in (say) a certain religious school. Such schools, in relation to which parents can exercise legitimate rights of choice, would not seek to entrap their pupils in a particular vision of the good, but to provide a distinctive starting point from which their search for autonomous agency may proceed. (1993 p. 123)

The extent to which a faith school would be likely to correspond to this proposal is questionable; as Nielsen (1981) shows, both the practice of Muslim education in the subcontinent and supplementary education (mosque schools) tend towards authoritarian and rote-learning methods. But both a common British standard of teacher qualification and commitment to the National Curriculum, as well as a more adequate level of funding, provide reason to believe that voluntary-aided Muslim schools need not share these features. Indeed it is possible to argue that some consensus is developing between some liberals and Muslims concerning a balance between grounding in tradition and critical-reflective education. For example, both Fitzmaurice, writing from a liberal perspective but one which recognises the importance of "embeddedness", and Akhtar, writing from a fairly radical Muslim perspective, make a similar recommendation concerning a division between primary (ages 5-11) and secondary (11+) phases of schooling (Akhtar 1993 p. 30, Fitzmaurice 1993 p. 68). Fitzmaurice's suggestion is that:

... the religious complexion of a school should be, within limits and wherever possible, a matter of parental choice, and that all secondary schooling should be, as on the French model, strictly secular. (1993 p. 68)

Similarly Akhtar, writing on this occasion on behalf of the Islamia Schools Trust, states:

We recommend that the Agreed Syllabus in Religious Education be taught only after the age of eleven. Up to that age, children should be educated solely in the tradition of their own faith. (1993 p. 30)

The differences here should immediately be admitted: Akhtar and many Muslims would be likely to disagree strongly with Fitzmaurice's suggestion of "strictly secular" secondary schooling on the French model, and Akhtar's position on RE represents a pragmatic recognition of the reality that the vast majority of Muslim children are and are likely to remain in common schools. It is also unclear whether Fitzmaurice's suggestion really makes sense; how could a strictly secular education build on a grounding in a faith tradition, and hence avoid a confusing disjuncture between primary and secondary phases? But, nonetheless, an agreement in principle to a model of primary (though not necessarily corresponding to 'primary school') grounding in a faith tradition, followed by an initiation into a wider diversity of viewpoints built on that grounding, seems to be present here.

Furthermore, this model also corresponds to Sacks' idea of a "community of communities" (1991 pp. 8-10, above, 1.1), and to Parekh's notion of "public operative values" supported by diverse cultural communities (1994 pp. 20-6). It also fits with Kohlberg's theory of moral development, an important underpinning for Habermas' theory of communicative action (3.6). Kohlberg's theory proceeds from the child learning constraints on behaviour in primary socialisation (preconventional phase), through competence in a particular moral system (conventional phase), to self-chosen ethical principles appealing to coherent, comprehensive and universal principles (postconventional phase) (in White 1989 pp. 66-8). Here, however, difficulties emerge; for Kohlberg, religious traditions, especially those requiring unquestioning obedience to divine decree, only reach the stage of conventional morality. Thus there is a danger that in a model based on a primary grounding/secondary reflective distinction religious traditions are relegated to the status of base materials for building the autonomous secular subject, base metals for Enlightenment alchemy. Here the problem identified by Habermas that modernity must depend on pre-modern moral capital is solved by providing a supply for it in primary education in religious traditions. But such a model is ultimately profoundly patronising to those traditions. A parallel may be drawn here with Halliday's support for the liberalization of Islam because he sees this as paving the way to secularization (8.1). In each case, (Fitzmaurice, Kohlberg and Halliday) a developmental model of growing from religious nurture to secular maturity is present. One may speculate here on the hidden hand of Freudian or Marxist theory, or on the influence of the not uncommon experience in their middle years or older, of having growing up in a 'repressive'

religious environment which leads to a rejection of religion in adult life (see Asad 1990, above 2.3).

By contrast, in the model of traditions developed in the thesis it is important to note that there is no point at which the autonomous moral subject can simply 'take off' from tradition; such an idea is sheer delusion. Any hybrid or "personal life project" is always indebted to tradition, which can include liberal forms of tradition, in the weaker or stronger MacIntyrean sense. It is important then that any primary grounding/secondary reflective model includes the insight that reflection can also take place from a properly traditioned standpoint, and cannot take place at all without any basis in tradition, whether this is recognised or not. Separate schools are in a strong position to make this point, although it is crucial that the civic virtue and critical skills/decision-making aspects of citizenship required by the National Curriculum are emphasised here. In common schools, it is crucial that the continuing role of tradition is emphasised in the cross-curricular elements of citizenship and multicultural education. The mode of delivery of the compulsory subject of religious education is also important here, and will now be examined.

8.5 Religious Education and Worship

Firstly, again, the legislative context. Religious education is not part of the National Curriculum, but rather a compulsory subject whose syllabuses are set by Local Education Authorities (LEAs). Respecting this framework, the requirements of the 1988 Education Act apply only to new syllabuses set after this date. The Act requires the establishment of permanent local bodies - Standing Advisory Committees on Religious Education (SACREs) - to review the syllabuses and their implementation. The membership of SACREs is to reflect the balance of religious traditions in an area. New syllabuses are "to reflect the fact that the religious traditions in Great Britain are in the main Christian" but also to take "account of the teaching and practices of the other principal religions represented in Great Britain" (DES 1989 in Mitchell 1993 pp. 187-8). Thus a new syllabus which fails to reflect this diversity is an illegal one.

Publicity surrounding religious education in the 1988 Education Reform Act, especially concerning the Lords' amendments, has tended to portray it as advocating a return to Christianity at the expense of more plural approaches, but the position is more ambiguous than this. The Act is the first legislation to express moves since the 1944 Education Act away from the restrictive notion of 'religious instruction' towards the more open concept of 'religious education'. Whereas the 1944 Act assumed Christianity was the religion in question, the 1988 Act is the first to

specify any religious tradition, but in stating the central role of Christianity it is also the first to make taking account of other "principal religions" compulsory, and to insist that locally set syllabuses reflect the national picture. It is thus possible to interpret this new recognition of cultural diversity in a positive light in terms of the representation of religious diversity:

We can thus see that no syllabus based upon Christianity alone can, any longer, be a legal syllabus. ... We may say that the requirement of the Act breaks the assumed Christian monopoly. (Hull 1989a p. 61)

The requirement to reflect the national picture is particularly important, as it means that authorities with small ethnic communities can no longer justify excluding the religious traditions of these groups on the grounds that they are not locally relevant.

However, as with citizenship and multicultural education, the presence of broad principles recognising cultural diversity is, to some extent at least, undermined by a range of factors militating against translating such recognition into practice. One is the increasingly restrictive interpretation placed on the Act by subsequent government circulars (Hull 1993). Hull points to what he describes as a "fundamental distinction" introduced in these circulars between Christianity, which is seen as part of British "heritage", and other faith traditions which are merely "represented". Such a distinction is neither consistent with the equality of British citizens, nor compatible with a tradition-based model which maintains that it is not possible to describe fundamental distinctions between traditions on extra-traditional grounds.

For the same reason school worship, in the sense of all pupils (except for children 'opted-out' by parental choice) regardless of faith-community, engaging in purportedly "wholly or mainly" Christian acts of worship (in Hull 1989b p. 121), is incompatible with a tradition based model. The common good is not achieved by attempting to weld people regardless of tradition into some sense of Britishness based on a diluted Christian ethos, but upon the integrity of faith communities (and other communities and practices) in their integrity sustaining a polyvocal public discourse. Note here that a collective act of worship for all pupils regardless of faith is a quite different matter to providing worship facilities for children from different faith traditions.

The methods used in religious education are crucial to sustaining a sense of the integrity of traditions, which a number of current methods are prone to undermine (Hardy and Newbigin in Hull ed. 1981). Experiential, phenomenological and functionalist approaches all tend to share in the assumption that religions are culturally specific ways of expressing common fundamental human experience or meeting common human needs, implying that these needs are prior to and

can be understood apart from religion, which is thus understood as a secondary phenomenon. A tradition-based model cannot accept this, as we saw above with Milbank (7.2).⁹ It is therefore important that if a secular stance is used to present (and hence inevitably to evaluate) religious traditions, then such a stance must also itself be open to critical scrutiny. That this is not the case is the heart of Newbigin's complaint about the 1976 Birmingham Agreed Syllabus in Religious Education, which has been widely used as a model for other syllabuses. Thus Newbigin writes:

the Syllabus seeks to develop a 'critical understanding' of the varieties of religious experience precisely by its uncritical acceptance of a particular stance for living. To the framers of this syllabus this stance is simply obviously 'what is right'. To an observer from another culture it is easily recognisable as a particular stance from the current phase of Western middle class culture - a culture which has ceased to believe that the Christian faith is the truth about how things really are. The Syllabus does not offer the possibility that the critical faculties of the children might be involved in examining this stance, because in order to do so they would have to accept uncritically (though provisionally) one of the other stances reviewed. (In Hull 1981 p. 105)

The obstacles to delivering a religious education critical of the secular premises of so many modes of presentation are formidable. They are compounded by the fact that religious education is taught by staff unqualified in the subject to an extent that would be publicly quite unacceptable in other fields. For example, a survey in Wales found that only 43% of staff teaching secondary RE had both a general teaching qualification and a relevant degree, diploma or ministerial training; 23% did not have any qualification in RE whatsoever (Welsh National Centre for RE, 1984).

But even without a theoretical grasp by teachers of a tradition-based model, as with citizenship and multicultural education, certain practical or content features could support a tradition-based approach. Thus an approach which stresses the communal and lifestyle dimensions of a religion is likely to promote a more integral understanding of tradition than a narrower focus on beliefs and practices. For example Nielsen (1983) argues that the role of the ummah (Islamic community) needs to play a larger role in the presentation of school RE:

the tendency to concentrate on the outward manifestations of Islam - mosque design, prayer ritual and timing, pilgrimage, and the regionally particular forms of Islam - effectively ignores, perhaps by implication denies, the deep spiritual values, experiences and meanings

⁹"the view that religion concerns the relation between the 'individual' and the 'social' can be opposed in the name of 'hierarchical societies' (meaning a hierarchy of values rather than of persons) for which both individuality and collectivity are subordinate to a substantive organization of roles, purposes and values. Here religion can be so 'fundamental' that one cannot get behind it to either society or private experience" (1990a p. 140).

which are common to all believing Muslims and which tie them to their fellow believers in the umma before and now. Among these values is that of the community experience of umma itself. (1983 p. 99)

Where Christianity is perceived as a privatised religion the holistic nature of medieval Christianity - which can be demonstrated using examples such as the powerful architectural media of medieval cathedrals, and the persistence of the connection between Christianity and the cycles of agricultural life in harvest festival - could be taught alongside the 'underside' of feudalism viewed in democratic perspective. The 1988 Act provides broad scope for such interpretation, even though, as we saw with citizenship and multicultural education above, positive encouragement is lacking.

8.6 Conclusions and Directions for Future Research

So how far has the thesis progressed in its task of building an idea of the common good in a plural society based on Sacks' vision of a "community of communities" (1991 p. 8, above 1.1)? The medieval vision of a society oriented towards a single telos, mirroring God's ordered universe, cannot be restored. But a society based around purely around the self-chosen goals of autonomous individuals is equally illusory; when liberalism forgets the traditions which nurture its virtues, the war of all against all threatens. Drawing on the work of Milbank and MacIntyre, a concept of tradition has been developed which 'thinks together' the metaphysical, moral, economic, political, social and personal, attempting to represent the complexity of life for individuals and communities in multicultural, multifaith, secularised societies. It may be suggested that this model could help members of religious and cultural minorities, and the secularised majority, to understand one another's positions more clearly, and hence perhaps overcome the mutual incomprehension which, it has been suggested, lay at the heart of The Satanic Verses controversy. From this mutual recognition practices and substantive conceptions of the common good may develop.

Thus we turn to possible practical outcomes suggested by the thesis. Some sources of hope for building the common good on the model proposed can be identified. In the field of education, possibilities exist within subjects, as well as through cross-curricular themes and dimensions; the theme of citizenship is especially promising if allocated the kind of time and resources the Paul Hamlyn Trust report (1993) recommends, although this seems unlikely. A recent decision by the Funding Agency for Schools to approve funding for a Seventh Day Adventist run school may open the floodgates to funding for schools of other religious minorities - three applications for

Muslim schools are current in Brent alone - although a final decision by the Secretary of State for education is awaited (The Guardian 19 Oct. 1996, see also Bowcott 1996).

However, it must be admitted that many factors count against many of the specific suggestions made in this final chapter in the educational arena. If the legislation against religious discrimination in employment in Northern Ireland meets with opposition when both political will and economic motivation (at least in terms of attracting American inward investment) are strong, what hope is there of introducing such legislation on the mainland where such motivation is lacking? In discussion with my students while working at Brunel University College, the most common response to whether Muslims should be protected under legislation such as group libel or incitement to religious hatred was the question that if Muslim countries impose restrictions on visiting Westerners, then why should 'we' make concessions to 'them'? Here a basic grounding in civic education - specifically that democratic rights should apply to groups in this country regardless of the actions of governments in their country of origin - would seem to be the most basic educational need. Only on such a basis could a more nuanced recognition of the tradition-location of both minority cultures and liberalism be built. It has been argued that both Milbank and MacIntyre presuppose such a structure as the location for the flourishing of traditioned communities (7.6).

It may seem, both from this argument and from the earlier discussions of education (8.2-8.5), that the position developed is a form of 'traditioned liberalism'. Partly this is the result of attempting to see what may realistically be achieved in the field of education given the existing situation - given the predominance of forms of liberalism in educational theory and practice (Hulmes 1989). This is inevitable for a theory of traditions as developed, which denies that it is possible to build from nothing, but always historicises knowledge and practice. However, in other respects, the differences from a traditioned liberalism are quite marked. Consider two examples of traditioned liberalism. Both Fitzmaurice (1993) and Galston (1991) recognise that grounding in some sort of tradition as a prerequisite for human flourishing. Thus Fitzmaurice argues that the confidence, self-esteem and judgement needed for general education progress rely on a grounding in tradition. Galston sees the civic virtues necessary to sustain liberal society as contingent on tradition. But, in each case, it is not part of their theory to consider how such traditions are themselves sustained. Furthermore, for Fitzmaurice, there is a tendency to see tradition as a necessary but ultimately disposable grounding for the development of liberal autonomy, in contrast to MacIntyre's notion of 'traditioned reason', for which tradition can never be left behind. For Galston, the neglect of the dynamics of tradition leads him to be indiscriminating about the kind of religion which supports the civic virtues which liberal society needs. In particular, the Lockean

deity which he most commonly appears to presuppose is subject to Milbank's criticism that in seeing 'man' as closest to God in the unrestricted exercise of dominium it opens the door to state domination. Thus civic virtue is not safe in liberal hands - to return to Sacks - what is needed is a model of community of communities who can enter into mutual criticism of one another (as in MacIntyre's university/ies). This is the very opposite of a pluralism of indifference, which, despite intentions to the contrary, is what so-called 'traditioned' liberalism becomes - because of its neglect of the substantive contents of the traditions which it invokes.

This last point suggests a major area of potential research: the kinds of virtue-sustaining practices which are maintained and may even be promoted by liberal capitalist societies. It has been argued (following Stout 1988) that MacIntyre neglects practices in modern societies which sustain internal goods. There is much information available on attitudes and public opinion, but very little which considers the relation between social networks, practices, virtues and tradition. More work on the role of narrative in sustaining moral discourse would also be valuable.

Another potentially rich area for investigation is Vertovec's (in Jackson and Nesbitt 1993) concept of "multiple cultural competence", and developed at 7.5: just how much plurality can be sustained within a telos oriented tradition? It is also hoped that the account of human rights given may stimulate research on the understanding and use of rights discourse, both amongst traditioned minorities and the majority in the West, as well as in Muslim countries (Dwyer 1991).

A further, and final, area which the thesis suggests warrants further investigation is the feminist challenge both to liberalism and to traditional religion, especially, perhaps, Islam. In some ways, tradition-based ways of thinking and feminism have much in common in their mutual rejection of foundationalism and their turn to the concrete and the particular; yet feminist epistemologies tend to emphasise the Enlightenment concept of negative freedom in their models of emancipation, in contrast to traditions. Certainly, many crucial issues in the plural public arena arise at the intersection of feminist and cultural minority discourses, as the Women Against Fundamentalism and UKACIA clash at 5.4 indicates. Indeed, the author has already undertaken fieldwork on a case where discourses of gender, race, religion and culture interact.¹⁰

¹⁰ Concerning disputes at the Law Centre, Newcastle upon Tyne. My thanks to Brunel Research Initiative and Enterprise Funding and Brunel University College Dept. of Arts for Funding this.

Note on Transliteration

Diacritical marks are omitted from words in transliteration.

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